JOHN SELDEN
AND
HIS TABLE TALK

BY

ROBERT WATERS

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HIS TABLE-TALK

By ROBERT WATERS

Author of "Shakespeare as Portrayed by Himself," "Intellectual Pursuits," etc.

"The *Table-Talk* of Selden is worth all the Ana of the Continent."—*Hallam.*

"There is more weighty bullion sense in this book [Selden's *Table-Talk*] than I ever found in the same number of pages of any uninspired writer."—*Coleridge.*

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PREFACE

To the younger class of readers at the present day JOHN SELDEN is little more than a name. He is often spoken of, frequently quoted, but known to few. Like his great contemporary, Lord Bacon, for one that has read his works a thousand have heard of his name. And precisely as Bacon is now known to most readers chiefly by his small volume of *Essays,* on which he set least store, so is John Selden known, to those who read at all, by the short record of his TABLE-TALK, of which he himself knew nothing. It not unfrequently happens that an author's fame rests chiefly on that work, or that part of his work, of which he himself thought little.

Now, as I feel convinced that John Selden, both as man and writer, ought to be better known; and that this knowledge is of the best and noblest, I have prepared this little work for those who know him only by name, or those who have no knowledge at all of him. As he lived and acted in an eventful period, and as his TABLE-TALK is one of those books which may be termed "the pre-

cious lifeblood of a master spirit," no man who wishes to know "the best that has been thought and said in the world" ought to be ignorant of it.

It is worth something to be able to listen to the table talk of a great man. Selden's talk, much of it, contains diamonds of thought set in the pure gold of common sense. And it will go hard if a knowledge of this man's life and character, together with his Talk, does not make a deep impression on the reader; it will go hard if some of these wise sayings and shrewd observations on men and events do not stick to him through life, and form a guide to action in those difficult and dangerous situations in which every man, more or less frequently, finds himself placed. I will guarantee that he who carefully peruses Selden's TABLE-TALK will lay it down a wiser man than when he took it up.

So much for Selden. What the writer has added is only subsidiary and explanatory. The chapter on Table-Talk Books and that on Selden's Career are simply aids to a fuller comprehension and larger enjoyment of the TABLE-TALK; and when this has been perused, the account of the wise old statesman's Closing Years will, it is hoped, cause

the reader to feel a personal, nay, an affectionate interest in the man himself.

As to the TABLE-TALK, nothing except a few passages on ecclesiastical matters, which are of little or no interest to modern readers, is omitted; so that the whole, as it stands, will, it is presumed, afford the reader a fair knowledge of the career, character, and conversation of this old English worthy, who, "though dead, yet speaketh," and who ought still to be listened to, especially by the descendants or the members of that race to which he himself belonged.

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JOHN SELDEN

AND

HIS TABLE-TALK.

I

Some Account of Bygone Table-Talk Books

It is curious to observe what queer and mysterious books were most popular, among those who read books at all, in the sixteenth and seventeenth centuries. I call them queer and mysterious because they dealt largely in the supernatural and the inexplicable; in the workings of fiends, monsters, demons, sorcerers, magicians, priests, and prophets; and so frequently was this the case, that one cannot help thinking the people of those times regarded the common affairs of life as unworthy of literary record. Yet I have no doubt these books were, for the readers of their time, mind-furnishing books; for they seem to have been read chiefly by those who

wished to acquire matter for conversation or table talk, and doubtless such books afforded what they sought, and gave rise to much speculation among the fireside groups and other gatherings of those days.

Now, as those who read books with that view to-day are certainly not the least intelligent or the least cultured among our people, I imagine those early readers could not have ranked among the inferior thinkers and talkers of their time. They read and talked of those things which were interesting to them, precisely as we do at the present day; and though they doubtless discussed the mysterious contents of their books with a certain awe and reverence peculiar to their day, it is quite likely that some bold thinker would now and then pronounce a daring criticism or venture a shrewd conjecture on some of their contents, which would set the others a-thinking, and thus conduce to the general enlightenment of the group. For as those books that stir thought and create discussion are reckoned among the prime factors in the education of a people, it is fair to presume that these ghostly books of the early ages served, in this respect, a useful purpose among the people.

Among the monks, and ecclesiastics gen-

erally, works of a pious and devotional character were, of course, most common; but among laymen the most popular books consisted of collections of signs and wonders; of strange predictions and mysterious occurrences; of warnings, dreams, omens, and mysteries; of jests, riddles, witticisms, and anecdotes; of ballads, songs, and sonnets; of warlike deeds and heroic exploits (often against legendary or mythical personages), and of wild tales of love and adventure. In short, they were such books as contained entertaining and inspiring matter for fireside stories and table talk generally.

The history of every people in the early ages, which may be termed the infancy of the human race, is characterized by the rude superstition which attributes life and power to material things; and thus we see that not only the winds and waves, the sun and the moon, but even stocks and stones were supposed to be at times animated and active for good or ill, and more or less connected with the weal or woe of human existence. This belief, on which so many of the ancient myths and legends are founded, was not entirely eradicated, at least among the lower orders, even up to the time of the Reformation. Indeed, we may still see remnants of it;

for when an ignorant man turns with anger or indignation on some inanimate object that has annoyed him, and punishes it as if it were a living thing, he displays nothing but a remnant of the old superstition.

Shakespeare, whose dramas illustrate so much in the habits and customs of bygone ages, gives in the *Merry Wives of Windsor* a good example of the kind of books used by certain classes in his time. Songs and sonnets, rhymes and riddles seem to have formed a chief factor in the art of love-making—a most difficult art indeed—and this is shown in Slender's first meeting with Mistress Anne Page. She is about to come in to invite him to dinner, when he, all anxiety as to what he shall say to her, thus unburdens his mind:

"SLENDER: I had rather than forty shillings I had my *Book of Songs and Sonnets* here. [Enter Simple.] How now, Simple! Where have you been? I must wait on myself, must I? You have not the *Book of Riddles* about you, have you?

"SIMPLE: *Book of Riddles!* Why, did you not lend it to Alice Shortcake upon Allhallowmas last, a fortnight afore Michaelmas?"

Poor Slender! had he had the *Book of*

Riddles or the *Book of Songs and Sonnets* with him, he might have said such nice things to Mistress Anne Page as would have won her heart at once; while now he was left helpless, his own empty brain furnishing him with nothing suitable for such a delicate occasion. By the way, is it not even now chiefly among children and people of weak mental caliber that we find riddles and conundrums so popular, forming, in fact, the chief or most interesting topic of their conversation?

Some of these early books were, in their comprehensiveness, even more colossal than the encyclopedias of our own day. Mr. Charles Knight, in his Essay on Table-Talk, enumerates a score of such books, with their quaint and curious titles, not only in English, but in French, Italian, and Latin. I shall give the reader the title of one of these —a huge work in two folio volumes, printed at Frankfort-on-the-Main in the year 1600, and, like most books in that age, written in Latin—which will give him a vivid conception of what they contained:

"Memorable and Recondite Readings, by John Wolf: a Book rich and rare, dug out of the Hidden Depths of Sacred Scripture and Venerable Antiquity, and highly embellished

with whatever is most Worthy in Allegory, in Tropology, in Allusion, Anagogic, Hieroglyphic, Symbolic, Iconographic, and Mythologic; in the Orphic Meanings; in Inscriptions and Emblems; in the Apophthegms of Great Men; in Proverbs, Parables, and Moral Maxims; in Stories Sacred and Profane; and in other Inventions of the Ingenious; in Compendious Accounts of Chronology, of Christian Doctrine, of Heresies, of Schisms, of Persecutions; of Emperors and Popes, and of other learned and illustrious Persons, together with their Acts and Deeds; as likewise of the Decrees of Councils and Synods, in Events and in Epochs"—and so on for about forty lines more, offering rich store of matter about "Doctors of the Church, Poets, Politicians, Philosophers, and Historians;" about "Prophecies, Vows, Omens, Mysteries, Miracles, Visions, Antiquities;" and winding up with a vast deal of information about "Monuments, Testimonies, Examples of Virtues, of Vices, and of Abuses;" with "Store of Types, Pictures, and Images;" and, moreover, with "all the most frightful Signs, Shows, Wonders, Monstrosities, and Portents of Heaven and Earth!"

No wonder the author of this tremendous

work expired before he had completed it—in fact it would seem to be enough to cause the death of half a dozen ordinary men—and thus the poor author was deprived of the happiness he had anticipated from the publication and reputation of his *magnum opus*. Dr. Johnson's single-handed production of his English Dictionary in seven years was nothing to it. Some years after the death of the author, however, this giant work came out, and there was a second edition in 1671—a high compliment in those days, for there were no stereotype plates at that time—and probably a third and a fourth edition followed in the next century. The work is not only a monument of the author's patience, but a striking example of German perseverance and painstaking labor generally.

Surely a book-lover, when he had once got his eye on this all-embracing work, could hardly have failed to buy a copy, even if he were obliged to sell his coat to do so! And when he had got it, he must—believing, as he did, the whole of it to be gospel truth—have perused its marvelous contents with rare enjoyment, combined with wonder and awe, and regarded the author as a miracle of genius and learning. Like Goldsmith's

schoolmaster's friends, he must have marveled

"That one small head could carry all he knew!"

Ah, yes; men got more out of a book in those days than we do now—and indeed the author put more into it than he does now!

Another of these books, one which was for centuries the prime source of literary and social entertainment among the better class of people, not only in England, but on the Continent, is the work entitled *Gesta Romanorum,* or *Deeds of the Romans.* From this work, of which the origin and the author are unknown, but which was probably the work of several hands, many English poets, notably Chaucer, Spenser, and Shakespeare, derived many of the plots and incidents of their poems and dramas; for it contains a large number of legendary and Oriental tales, of fictitious narratives drawn from Arabian literature, and of tales from various traditionary sources; and to every tale, in order to make it fit for Christian readers, a moral is attached. But indeed, in spite of the moral, many of the tales in the *Gesta Romanorum* are unfit for either Christian or pagan to read. Here, however, you may find the original story of Shylock and his

pound of flesh; of Portia and the caskets (how deftly Shakespeare has woven both stories into one drama!); of the Hermit and the Angel; of the Three Black Crows; and of various other well-known stories, which our modern English and American poets have worked up in such fine form.

It is a remarkable fact that many, perhaps most, of our best epic and dramatic poems are founded on events that occurred a thousand years ago, among a foreign people in a far-off land; and the reason of this is not because

"Distance lends enchantment to the view,"

but because everything touching or thrilling in human experience, no matter how long ago or among what race it has happened, still holds mankind spellbound, still retains an absorbing, fascinating interest for the average man, and still moves him to sympathy or admiration. Shakespeare, who seems to have known everything, well exemplifies this fact in his admirable dramas, nearly all of which are founded upon ancient stories, legendary or historic, drawn from sources such as I have just mentioned.

Then came, in the seventeenth and eighteenth centuries, those countless volumes of

Ana for which there was such a rage in France and Italy in the last century. The first of these books was a volume containing the Table Talk, the Noted Sayings, and the most interesting Incidents in the life of Joseph Justus Scaliger, the famous French scholar, professor, and author. Scaliger, who numbered among his friends the most illustrious scholars of his time, and who is noted for his arrogance and vanity as well as for his learning, was born in 1540, and died in 1609. He is also well known for the severity with which, in his writings, he attacked his opponents, having enriched the vocabulary of learned abuse to an extent almost unknown before. This book about him and his sayings, published in 1666, was entitled *Scaligerana,* and had such an enormous sale that it was speedily followed by others of a similar character. These were the *Perroniana,* the *Thuana,* the *St. Evremoniana,* the *Huetiana,* and so on. Like most imitations, however, these were inferior to the original, being hastily and poorly put together, and containing much that was spurious or irrelevant.

Yet these collections of anecdotes about eminent men, with scraps of their conversation and some of their noted sayings, be-

came the rage of the reading public in the last century, and seem, as Mr. Knight says, "to have taken the vulgar taste of that age as we have seen the novels of fashionable life take that of ours." Probably the attraction in both instances was of a similar nature; for the novels of fashionable life are supposed to reveal the inner life of fashionable or wealthy people, while the Ana were expected to do the same for intellectual people. The Ana, having served their purpose, have all disappeared, and the novels of fashionable life, when they have served their purpose, will disappear just as certainly. Time, the great tester of literary merit, deals with the productions of the mind as it does with other things: it speedily destroys all those that are not of genuine, sterling value, and allows only those of pure gold to remain.

But what Mr. Knight further says of these multitudinous volumes of Ana is well worth reading and remembering. After mentioning the *Scaligerana,* or the Sayings of Scaliger; the *Perroniana,* or the Colloquial Remarks of Cardinal Du Perron; the *Thuana,* or the Sayings of the illustrious historian De Thou, he continues:

"These are the original Ana from which all the rest have sprung. The rage for this class

of publications in France lasted for nearly a century, and produced in all above a hundred collections bearing the characteristic title. Peignot, in his Repertory of Special, Curious, and Instructive Biographical Notices, has given a list of one hundred and nine. Among these, however, there are a good many which have no claim from their contents to be reckoned among the true Ana. Some are mere miscellaneous collections of anecdotes or remarks, neither gathered from the conversation of any distinguished person nor in any way relating to a particular individual; others are merely burlesque productions. A few are only collections of extracts from the works of the writers after whom they are named; scissors-work, of the same kind with those publications called *Beauties*.

"Of the Ana, properly so called, the character even of the best specimen is, that the interesting matter in them is mixed up with an unusually large proportion of what is trivial and worthless. They may be considered the lumber room of literature, in which articles of all kinds are thrown together in confusion, and for the most part broken and useless, but which yet contain a good many curious things, and some in-

trinsically valuable; the hurried strippings of richly furnished apartments, which a revolution of fashion or some other accident has dismissed to this multifarious repository. The variety, at all events, of such a chance-collected museum is some compensation for its dust and disorder. There is reason to believe that in most of the Ana there are many things which were never uttered by the persons to whom they are attributed, but are rather the used-up wit of the editor and his friends, or the superfluities of their commonplace books; as in a sale of articles of vertu, advertised as having belonged to a distinguished collector, the auctioneer will often take the opportunity of intermixing a considerable alloy of less genuine wares and clearing his warerooms of much rubbish that would have little chance of going off by itself. There can be no doubt that the reputation of eminent persons has frequently suffered greatly in this way at the hands of the Ana manufacturers. But, even when honest, few of the makers of these books seem to have had any superior qualifications for their task, or to have set about it in a way to insure its effective performance. They seem to have been most commonly more than ordinarily stupid people, with less than the

average powers, not only of discrimination, but also of memory and comprehension. Of all the associates of the great scholar or wit the one who was least able either to reflect or to absorb his light appears usually to have charged himself with the office of preserving and transmitting it; as if a lump of earth should set up for a looking-glass. He who found himself most incapable of making a return for the good things he had heard by any good things of his own, that he might not be altogether useless, took up the post of reporter. Unfortunately, for that also he was least qualified. Of the little he understood, which was probably what was least worth understanding, he jotted down at his convenience the still less which he remembered, and that, again, was very possibly the least worth remembering; for such brains are like sieves, made to let the finer portion of what is put into them soon escape, and only to retain long what is comparatively gross and coarse. And thus, in some years, an Ana grew up under his hands; a selection, indeed, from the conversations of the person after whom it was named, but a selection rather of his poorest and most commonplace remarks than of such as were most profound or refined."

After this, the reader will perceive that it is not every man that is able to report conversations correctly; for it is easier to invent than to report conversations; and the reader will also understand why Boswell's *Life of Dr. Johnson*, which contains such admirably reported conversations, is so highly appreciated.

When the rage for this kind of literature had, like the fashions, been transmitted to England, it was taken up by a man who had much in common with the Ana makers, though he was endowed with more talent than most of them; for Horace Walpole was distinguished for wit and repartee, and noted for his talent as a raconteur and easy talker. He was, however, by no means noted for his reverence for truth and honesty, nor for his kindness to struggling genius; as we have seen in the case of poor Chatterton, whom he had at first befriended, and afterward treated with neglect and cruelty. Having spent a great portion of his time among men eminent for genius and talent, and among fine lords and ladies who figured largely in the social and political life of his day, and having sources of information which few others possessed, he furnished the editor of *Walpoliana* with many

anecdotes, *bons-mots*, and repartees of these people, all in his own hand; and after his death the whole was published in two volumes. Of the nature of this publication the reader may form some conception from Macaulay's characteristic description of its author: "The conformation of Walpole's mind was such that whatever was little seemed to him great, and whatever was great seemed to him little. Serious business was a trifle to him, and trifles were his serious business." I imagine that Gay's epitaph in Westminster Abbey would have suited Walpole better than the man for whom it was intended:

> "Life is a jest, and all things show it:
> I thought so once, and now I know it."

Then came Isaac Disraeli—father of the famous novelist, orator, and statesman, Lord Beaconsfield—with his *Curiosities of Literature, Calamities of Authors,* and so forth; which, though possessing far more merit than any of the French Ana, are really the legitimate offspring of this species of literature. Disraeli was endowed with the true spirit of the Ana maker, being fond of everything rich and rare, strange and peculiar in literary history, and gifted with the

power of describing and narrating the personal experiences, the peculiarities and idiosyncrasies of celebrated people in a fascinating style. He had the literary instinct, too, the taste and judgment of a connoisseur in the art of book-making, and he generally narrated in a piquant and striking manner whatever he knew himself or had learned from others.

It is no wonder, therefore, that Disraeli's books became popular, especially among the polite and polished people of his day; for they afforded abundant material for entertainment, for spicy table talk and literary gossip; and he may be said to have aided in such intellectual equipment as Slender sought in the *Book of Riddles* and the *Book of Songs and Sonnets.*

Disraeli had amassed a large stock of stories about authors, of curious anecdotes about men eminent in political and social life, and of interesting information about the origin, the success, or the failure of book-makers and publishers; and all this he knew how to set forth in an attractive and pleasing manner. His books ministered, too, to that craving for closer acquaintance with statesmen, princes, and men of genius, which has ever been a characteristic trait of the lovers

of art and literature, and which I by no means consider an unworthy trait in man or woman; for men and women, as well as children, love to get a glimpse of famous personages behind the scenes, and see something of the actors *off* the stage as well as *on* it. Disraeli's works are not to be despised. Nor are they entirely neglected even at the present day; for to those who are fond of curious details about the lives of distinguished men, especially of authors, the origin of their books, and the working of their minds, there is abundant material, instructive as well as amusing, in Disraeli's books.

But the prince of Ana makers, the best of all the reporters of conversation and the first of biographers, was yet to come. In 1791 James Boswell published his *Life of Dr. Johnson,* and all England instantly recognized it as the best work of the kind that had yet appeared. This work, which has gone through more editions and had more commentators than any other English biography, contains the richest collection of Ana and the best-reported conversations of eminent men in the English language. It embraces so many interesting conversations, so many delightful anecdotes, curious details, and remarkable sayings of eminent persons, that

all lovers of literature are attracted by it, and some have even made a practice of reading it once a year. As for the writer, it made an impression on him as deep and delightful, as new and surprising, as that which Chapman's *Homer,* on a first reading, produced on Keats:

> "Then felt I like some watcher of the skies
> When a new planet swims into his ken;
> Or like stout Cortez, when with eagle eyes
> He stared at the Pacific—and all his men
> Looked at each other with a wild surmise—
> Silent, upon a peak in Darien."

Dr. Johnson, who was himself one of the ablest and most learned men of his time, lived in an age noted for men and women of intellectual eminence, most of whom he personally knew; and it may be said of this biography that it admits the reader, perhaps more completely than any other book, into the society and the companionship, the life and thought of the eminent men of whom it treats, and enables the reader to know them "in their habit as they lived." More than this: it gives a vivid picture of the manners and customs, the thought and feeling of the various classes of English people in the eighteenth century; and after reading the

book carefully we seem to know the people of the last century better than we know those of our own.

Boswell was not only the best of the Ana makers, but the most successful and accurate reporter of the conversations of the scholars, statesmen, authors, actors, and artists whom he met; and he has done for Johnson and his friends what no other biographer has succeeded so well in doing. Dr. Johnson talked with people of all ranks and professions, and Boswell caught the talk as it fell from their lips. This was a great feat, and the reading public have recognized it as such; for it is no small achievement to have successfully reported the talk of Burke, Goldsmith, Reynolds, Garrick, Foote, Wilkes, Beauclerc, Mrs. Siddons, Kemble, Miss Burney, and a hundred other eminent persons of the time. Macaulay, indeed, affects to despise "poor Bozzy," and speaks of his fame as "marvelously resembling infamy;" but I am sure that most good judges of literature will agree with me in pronouncing Boswell's *Life of Dr. Johnson* quite as entertaining and instructive, quite as good a picture of a bygone age, and quite as likely to endure the test of time, as Macaulay's fascinating *History of England,* or even his

brilliant *Essays* on the great men of English history. Macaulay was himself a famous talker; but who has given us any report of his talk? Who has been edified by it, except those who heard it? "With life before them, and each intent on his own future," says Mr. Trevelyan, his biographer, speaking of Macaulay's talks with his friends, "none of them had the mind to play Boswell to the others." Indeed, Mr. Trevelyan, you speak more truly than you had intended; for not one of them had the *mind,* the Boswellian *skill* and *talent,* to reproduce those conversations, which have been so highly praised. It needed a Plato to reproduce the conversations of Socrates, and none but a man of uncommon talent could reproduce those of Macaulay.

Dr. Wynne, in a book describing the private libraries of New York city, makes the remarkable statement that the library of the late William E. Burton, the comedian, contained no fewer than one hundred volumes of Table Talk! Surely these must, if they were all different works, have consisted largely of the French and Italian Ana of which I have just spoken. Burton was an omnivorous reader and an indefatigable collector of books; but who, except a book

collector like himself, has ever heard of more than half a dozen books of Table Talk in the English language? Even among the French there are at the present day few noteworthy books of this sort; and as for the English, I do not know more than half a dozen even by name.

The scores of books of this nature printed in the last century are all gone; the general public knows nothing of them; no eye now sees them; no ear hears of them; no one reads or quotes from them; they have disappeared before the breath of Time like snow before the rays of the sun. So that these hundred or more volumes of Table Talk must be the dead, neglected Ana of the last century. And what did Burton want them for? Probably to help him out in his "Cyclopedia of Wit and Humor," or to afford a suggestion or two for his comedies.

Books in a library and books that are read are two things. A book may be as dead as a doornail, and still be found occasionally in a library. No book, unless it possess something of real intrinsic merit, something that renders it as valuable for one generation as for another, will survive. Probably not more than one in a hundred, if so many, of the works published at the present day, will

be read a hundred years hence. Many of them may be found in a library, but not in the minds or mouths of men. Even among the most brilliant talkers, how few of them have uttered things that still live! Mackintosh was one of the most brilliant talkers of his day; and yet who knows or remembers anything he ever uttered? Of Sydney Smith's ever-flowing and ever-pleasing conversational wit and wisdom, how much now remains? Nothing, except a few stray scraps, gathered here and there among his many friends.

These famous talkers had no Boswell, it may be said, and this is why their talk has been lost. Possibly; for a Boswell is as rare as a good talker, and the two are seldom found together. Such a combination did exist, however, even before the time of Boswell and Johnson; not exactly so good as that of these two, but perhaps the best, with this one exception, since that of Plato and Socrates. I refer of course to the report of the Table-Talk of John Selden by Richard Milward, which, though older than any of the French and Italian Ana, is still read, still lives, and is considered far superior to any of them. It is read, indeed, not merely by scholars and persons of taste and refinement,

but by intelligent people of all ranks, than which a better test of merit can hardly be found. Selden's utterances are not always brilliant, not always even polished, but they are full of sound sense, of sage counsel, and of deep thought; and though they were uttered more than two centuries ago they are still of value, still powerful for guidance and counsel, even to us at the present day.

Dr. Johnson, talking with Boswell about French literature, said: "Their Ana are good; some of them are good; but we have one book of that kind better than any of them, Selden's Table-Talk." Hallam gave the same verdict; Coleridge set the highest value on it; and the world has confirmed the judgment of these able men; for while the French Ana have fallen into utter neglect, Selden's Table-Talk still lives, and is still read by men and women of the best sort.

Of the author of this remarkable book, who lived in the reigns of four sovereigns (if the last, Cromwell, may be called a sovereign), and who had probably a larger share in the memorable events of his day than most of the eminent persons who figured in it, there are several memoirs extant, though most of them are rather dry and scanty. I

must, however, before presenting his Table-Talk, give some account of his career, founded on these memoirs; for his Talk will become all the more significant after the reader has made some acquaintance with his life.

The period in which Selden lived is so full of important events, so rich in new ideas and so crowded with eminent men, that even this slight sketch cannot fail to be attractive to those who take an interest in the history of our race; for it is the period in which the original founders of our own republican government lived and moved; in which they played such an important part in the struggle for constitutional government; and in which so many of them, determined to found a new and freer state than that with which they had been acquainted, crossed the stormy Atlantic and planted on these shores those free political institutions which have since taken such deep root, grown to such wide proportions, and influenced so largely the condition of the civilized world. "The people of the United States," says Daniel Webster, "descendants of the English stock, admit with gratitude and filial regard that, among those ancestors, under the culture of Hampden and Sydney and other assiduous patriots, the

seed of popular liberty first germinated, which on our soil has shot up to its full height, until its branches overshadow all the land." It looks, indeed, now as if those branches were likely to "overshadow all the earth."

II

Selden's Career

John Selden lived in the reigns of Elizabeth, James the First, Charles the First, and Cromwell (1584-1659), and had not only a long, wide, and varied experience as scholar, writer, and statesman, but filled creditably various political and other important offices during this eventful period. Born of humble parents, in a hamlet on the coast of Sussex, young Selden after his first schooling determined to become a lawyer; and he soon found friends who sent him to Oxford, where he spent four years in hard study, and then came to the Inner Temple in London. Let me say here, for the benefit of the young reader, that this Inner Temple is one of the four Inns of Court—colleges in the metropolis where barristers and students of law reside while pursuing their professional studies. It is the joint property of two bodies, called the Honorable Societies of the Inner Temple and of the Middle Temple, who are the private proprietors of the build-

ings, and who exercise general supervision over the whole legal fraternity.

Here Selden made the acquaintance of several eminent men in his own profession, who were of considerable use to him in his mental development. An old chronicler tells us that "it was the constant and almost daily habit of these great traders in learning to bring in their acquisitions in a common stock by natural communication [that is, by conversation]; whereby each of them became, in a great measure, the participant and common possessor of each other's learning and knowledge."

A band of generous and noble-hearted fellows truly. Young Selden could not have had better associates; and I have no doubt he learned quite as much from them as he did from his professors at Oxford. For such companionship is often, as in the case of Goethe at Strasburg and Leipsic, the prime spring of a great man's intellectual development.

This age, the age of Shakespeare, has been well termed the "social age," or the "age of conversation," in which men learned by "natural communication" better than they could have learned by any other means. The students of this age did not read so much,

but they conversed more than those of our day, and that is how that *unconscious learning* was instilled into them which gave them that large power of utterance, that gift of good English speech, which is so characteristic of the writers and speakers of the Elizabethan age.

So it was here, while residing in the Temple, that Selden's learning began to attract attention; and it was probably through the friends he made here that he became acquainted with many of the literary celebrities of the day. For, according to Mr. Singer, one of his biographers, Selden appears to have become a member of the Mermaid Tavern Club, established by Sir Walter Raleigh, where those famous "wit combats" between Shakespeare and Ben Jonson took place, and where the wits and poets of the day "most did congregate." This Tavern gathering was probably the first of those English literary and social clubs which have since become so famous and so common, not only in England, but in America; and it is evident that Selden, being himself a good talker, loved to participate in the meetings of such a club, where not only wit and humor, but sound sense and extensive knowledge, were often displayed.

Among the members of this club was Michael Drayton, with whom Selden became to a certain extent a colaborer; for he wrote the notes to Drayton's chief work, the "Poly-Olbion," which notes are said to display great learning and wide research. And with another member, Ben Jonson, we know that he stood on the most familiar terms; for he borrowed books from Jonson, wrote complimentary verses for some of his works, and repeatedly speaks of the learned dramatist as his "beloved friend." When Ben Jonson was released from prison, where he had been confined for a time for some fancied insult, in one of his plays, to King James I., a banquet was given in honor of his deliverance, at which Selden was present, and where he doubtless showed his appreciation of his friend and his joy at his release from "durance vile." Selden had also won the esteem and friendship of such solid men as Camden, Usher, Sir Robert Cotton, and Sir Henry Spelman. Unhappily, we find no mention of his acquaintance with Shakespeare (him, the greatest of them all, nobody seems to have known), although we find that, in later years, he was associated with Lord Bacon in preparing classical costumes for a masque to be played before the king.

So that Selden's personal acquaintance embraced not only the ablest lawyers and statesmen and the most gifted divines and scholars, but also the best wits and poets of the day. It is evident, as we shall see by and by, that he valued and cultivated the friendship of such men as among the most precious things in life.

Nor did he himself fall behind them in knowledge and ability; for he subsequently greatly distinguished himself by his knowledge and capacity as a jurist and statesman, as an expounder of international law, of national jurisprudence, of ancient custom and usage, and as a writer on legal, ecclesiastical, and political history.

Meanwhile years passed and times changed. Elizabeth and James were dead; and Charles the First, with his obstinate character and despotic notions of kingly government, was on the throne. Now began that tremendous struggle between king and parliament which fills so many pages in English history and which ended so gloriously for the people. Selden was in Parliament; and though by no means a republican, he was decidedly liberal in his views, and an opponent of the king in all his arbitrary and tyrannical measures. So that in 1629 he

was, with five other members, thrown into the Tower, where he remained till 1633. His noble and eminent colleague, Sir John Eliot, died there, a martyr to liberty; but John Selden was not to be so easily crushed. He went bravely to work at his literary studies; relieved the tedium of the time by hard work with his pen; and finally emerged, hale and hearty, with one or two new works, ready for the press, under his arm.

Selden was a constitutional lawyer and legislator. Whatever was according to the Constitution he favored; whatever was not, he opposed. When the king endeavored to levy taxes without the consent of Parliament, he opposed him; when he established the Star Chamber proceedings, he opposed him; but when the Puritans wished to dethrone him, he opposed them. Although he would limit the power of the king, he would neither dethrone him nor abolish the monarchy. Whatever was reasonable, he favored; whatever was not, he opposed. You will see this in the Talks. He was not against the bishops as such, but he was opposed to their acting as legislators. He was emphatically a reasoning, thinking, well-disposed man, who favored whatever had worked well so far, and opposed whatever

seemed to be of a dangerous character in the way of innovation.

In 1640 Selden had the high honor of being chosen to represent Oxford in Parliament; and here, by his great learning and ability and by the moderation of his counsels, he gained not only the esteem of his own party, the Conservative, but that of the other, the Puritan; for the leaders of the Puritan party as well as those of the Conservative frequently consulted him on points of law and on parliamentary practice. This is the famous Long Parliament, which makes such a figure in English history, and which passed laws and ordinances more radical perhaps than those passed by any other English Parliament that ever sat. Here Selden, though strongly favoring true reforms, acted rather as a wise guide and counselor than as a partisan leader; for he stood on the law and Constitution of England, and would not depart from either on any account. He was equally opposed to the sweeping and radical changes of the Roundheads and the arbitrary and illegal measures of the Royalists; he would neither dethrone the king nor agree to his despotic measures, but counseled patience, endurance, and toleration—acting and speaking, in both instances, with

that calmness and moderation, that firmness and ability which ever distinguished him. "In politics," says Mr. Singer, "Selden was ever inclined to moderation; and, leagued with a few true lovers of their country, he pursued a temperate and thoughtful course, as became a legislator and patriot." Other writers bear similar testimony to his moderation and wisdom. "He appeared in the great National Council," says a modern English writer, "not so much as the representative of the contemporary inhabitants of a particular city, as of *all* the people in past and present ages; concerning whom and whose institutions he was deemed to know whatever was to be known, and to be able to furnish whatever, within so vast a retrospect, was of a nature to give light and authority to statesmen in the decision of questions arising in a doubtful and hazardous state of the national affairs."

It is certain that Selden, by his learning, moderation, and sound sense, exercised a restraining influence on the more radical leaders of that revolutionary period; it is certain that he helped to temper their zeal, which, without his influence, would have caused them to go beyond proper limits in their efforts at reform. So that, had it not

been for him, and some others like him, this Barebones Parliament might have gone as far as the Sans Culottes National Assembly of France, and ruined everything in the way of good government. One of the fanatics in this Parliament proposed, for instance, the burning of the records in the Tower, as useless memorials, which Selden, by an eloquent and convincing speech, prevented; and another proposed the restriction and spoliation of the two great universities, Oxford and Cambridge, as useless and aristocratic institutions, which the same strong speaker, by an unanswerable argument and a moving appeal to the reason and common sense of his colleagues, also prevented. Fortunate it was that there were men in that Parliament capable of listening to reason and sound sense; else the revolution of 1640 might have presented in English history a spectacle quite as appalling as that of 1789 in the history of France.

Mr. Matthew Arnold, while trying to show that the Puritans, whatever other good qualities they possessed, had no love of beauty, says: "Let us go to facts. Charles the First, who, with all his faults, had the just idea that art and letters are great civilizers, made, as you know, a famous collec-

tion of pictures—our first National Gallery. It was, I suppose, the best collection at that time north of the Alps. It contained nine Raphaels, eleven Correggios, and twenty-eight Titians. What became of that collection? The journals of the House of Commons will tell you. There you may see the Puritan Parliament disposing of this Whitehall or York House collection as follows: 'Ordered, that all such pictures and statues there as are without any superstition, shall be forthwith sold. . . . Ordered, that all such pictures there as have the representation of the Second Person in Trinity (Christ) upon them, shall be forthwith burnt. Ordered, that all such pictures there as have the representation of the Virgin Mary upon them, shall be forthwith burnt.' "

Selden, it appears, was powerless to prevent this piece of vandalism; but it shows what kind of men he had to contend with. Few men, I imagine, ever found themselves among such uncongenial colleagues as Selden did in this Puritan Parliament; and it is no wonder he was strongly opposed to many of their measures.

The course which Selden recommends in religion he probably followed also in politics: "Be sure you keep to what is settled,

and then you may flourish on your various lections." Instead of tearing things up by the roots, and creating general disorder, he endeavored to maintain the restrictions of the Constitution, and to modify and improve the existing laws and institutions to suit the time; in other words, he tried to make the settled things work satisfactorily, without detriment to individual liberty, and without disturbing the peace and prosperity of the country.

Although he opposed the king in his illegal and unconstitutional measures, he would not deprive him of all power, nor deprive him of his rightful authority, but strove to make him walk within constitutional limits. In this endeavor, however, he failed; for the king would not listen to anything of the kind; nor would his adherents. Besides, his majesty's word could not be depended on; he made promises to the Parliament which he never did and never intended to keep; so a change of dynasty seemed absolutely necessary, and it came. Cromwell and his party were triumphant, and the king and his party were overthrown. I cannot help feeling, however, that the company that gathered round Selden was of a nobler character, animated by purer motives,

and inspired by greater and higher wisdom, than that which gathered round Cromwell, who surrounded himself by men of a violent and fanatical character. Had Charles and his family been banished the kingdom, and allowed to work out his foolish notions abroad, the English republic would probably have lasted longer than it did, and the king would never have been venerated and worshiped as a martyr, as he afterward was (and is) by many thousands of Englishmen.

Selden saw clearly that the clergy and the laity could not, in the making of laws, work well together; hence his strong opposition to the bishops' sitting in Parliament, to the collection of tithes, and to other ecclesiastical abuses of the time. But he would not, like the Roundheads, have the bishops or the Church or the monarchy altogether abolished; he was not an enemy either to the Church or to the monarchy, but simply to abuses in the same; he strove, by every means in his power, to restrain both the Church and the king within their proper spheres, and to make them work according to the spirit and intention of the laws of England. Thus his views satisfied neither party, and he consequently succeeded in making many enemies in both.

To show how sharply he turned the edge of the logic of the Roundheads against themselves, one or two examples will suffice. When Alderman Pennington rose, in the House of Commons, and said: "Mr. Speaker, there are so many clamors against such and such of the prelates, that we shall never be quiet till we have no more bishops," Mr. Selden rose and desired the House to observe "what grievous complaints there were for high misdemeanors against such and such of the aldermen; and therefore, by a parity of reasoning, it is my humble motion that we have no more aldermen."

When certain sectarian ministers presented a remonstrance to Parliament respecting Church government, the debate proceeded upon the right of bishops to suspend the inferior clergy from the performance of their ministerial duties. In opposition to this right, Sir H. Grimstone employed the following logic: "That bishops are *jure divino* (of divine institution) is a question; that archbishops are not *jure divino* is out of question; now that bishops, who are questioned whether *jure divino* or not, or archbishops, who out of question are not *jure divino,* should suspend ministers, who *are jure divino,* I leave to be considered."

To which Selden thus replied: "That the Convocation [an assembly of clergy and laity, called by the Crown or the Parliament, to form or revise the laws and liturgy of the Church] is *jure divino* is a question; that Parliaments are not *jure divino* is out of question; that religion is *jure divino* there is no question. Now, sir, that the Convocation, which is questionable whether *jure divino* or not, and Parliaments, which out of question are not *jure divino,* should meddle with religion, which, questionless, is *jure divino,* I leave to your consideration."

Sir H. Grimstone, pursuing his argument, observed "that archbishops are not bishops." To which Selden replied: "That is not otherwise true than that judges are no lawyers, and aldermen no citizens."

In a synod of divines and laymen, assembled at Westminster in 1643 "to settle the grievances and the liturgy of the Church of England," Mr. Selden was a member; and when, as Sir John Birkenhead reports, "the Commons tired him with their new laws, these brethren [of the synod] refreshed him with their mad gospel. They were graveled lately between Jerusalem and Jericho; they knew not the distance between these two places; one cried twenty miles; another ten;

then it was concluded seven, for this reason, that *fish was brought from Jericho to Jerusalem market.* Whereupon Mr. Selden smiled, and said, 'Perhaps the fish was salt fish;' and so stopped their mouths."

Whitelock, the historian, speaking of this Assembly, says: "Selden spoke admirably, and confuted them in their own learning. Sometimes, when they had cited a text of Scripture to prove their assertion, he would tell them, 'Perhaps in your little pocket-bibles with gilt leaves (which they would often pull out and read) the translation may be thus and thus, but the Greek or Hebrew signifies thus or thus;' and so would silence them."

Thus it will be seen that Selden, in wit as well as in learning and argument, was more than a match for his opponents. He would not, however, go far enough, on either side, to please either party; and probably it was well he did not, for there were plenty of others ready to go all lengths, to suit their purpose; so that a restraining hand was salutary and needful on these zealots.

Although Selden stood firmly, on general principles, for king, lords, and commons, and was ever inclined to be liberal and progressive in legislative enactments, it is not sur-

prising to find that, when Charles was overthrown, he was not in favor of his execution, nor of the abolition of the monarchy, nor of the demolition of the Church. He saw that this would be the ruin not only of many good things, but of many good people, whom he esteemed and loved. It was during this critical period that he endeavored to save, and did save, many of his loyal friends and supporters from utter ruin and disgrace, and acted as a pacificator and mediator in the midst of the triumphant party. One of these, as we shall see, was Archbishop Usher, the famous Irish prelate. But when Cromwell requested him to answer the *Eikon Basilike*—the king's defense of himself, as written by one of his bishops—Selden declined the task, and doubtless thereby lost much favor in the eyes of the powerful Protector. This was too radical a piece of work for him; he could not undertake it with a good conscience or with proper self-respect; so the work was given to a more thoroughgoing reformer, a true republican as well as a poet, John Milton, who put his whole heart and soul into it, and produced that masterpiece of political controversy, *Eikonoklastes*, which was read by all Europe, and which produced a profound impression wherever it

was read. This work was, like that to which it was an answer, written in Latin; since it was intended for all the learned and governing heads in Europe, with whom Latin was in those days a universal accomplishment. And when it is remembered that Milton was Cromwell's Latin secretary—for all the foreign despatches were, at that time and long afterward, written in Latin—it will be evident that Cromwell had not far to seek nor long to wait for a defender who could perform the task to his entire satisfaction. The reader who is familiar with the life of Milton will remember that the poet had at one time contemplated writing his great epic, *Paradise Lost*, in Latin, which it was well he did not attempt, for no man can write so well in a foreign language as he can in his own.

Some writers have sneered at Selden as the Erasmus of the English political reformation; but those who speak in this way have no real knowledge of the time, nor of the true merits of either Erasmus or Selden. Both men performed a great educational work for their age; and because Erasmus could not go as far as Luther, nor Selden as far as Cromwell, no judicious or well-informed critic can blame either. Both had great merits, great learning, and great talents

of their own, which they used for their country and kind as best they could; and because they did not use their talents and their learning in precisely the same way in which others did, or in furthering precisely the same objects, surely this is no reason for condemning their actions altogether.

Though Selden could not approve of all the acts of the Cromwellians, he was ever the determined enemy of misgovernment, of tyranny, of sectarian bigotry, and of wrong in every shape. Had he had his way, the Puritans would never have been persecuted, nor the Presbyterians oppressed and tortured, nor the people taxed without their consent. We must never forget that Selden was one of the prosecutors of the infamous Duke of Buckingham, one of the defenders of the patriotic Hampden, one of the original framers of the memorable Petition of Right, which is a corner stone of English political liberty. Selden's speech in support of this Petition is characterized as an unanswerable argument; and when we consider the important and far-reaching results of that Petition, it is probably not too much to say that every free man, both in England and America, owes him a debt of gratitude for his efforts in the cause of liberty.

So much for Selden as a man and legislator; now for his character as a writer and talker. His influence as a legislator, which was great in his own day, has extended down to ours, and his influence as a talker, which was great in his lifetime, and has been considerable since his death, will extend probably far into the future. Had he not been a good as well as a great man he would never have commanded the respect and influence he did command; nor do I think that any man, however great his abilities, can command a wide and beneficial influence without being at the same time a good man. "A corrupt tree cannot bring forth good fruit;" "neither do men gather grapes of thorns, nor figs of thistles." Dean Swift, it is true, is still read; his marvelous style, rare genius, and brilliant wit will ever command attention; but who has ever felt himself uplifted or edified by anything written by Dean Swift? The most touching lesson taught by this unhappy man is that afforded by his melancholy and unhappy life.

Lord Clarendon, who, though generally opposed to Selden in politics, remained his lifelong friend (a circumstance highly creditable to the character of both men), thus describes him: "Mr. Selden was a per-

son whom no character can flatter, or transmit in any expression equal to his merit and virtue. He was of such stupendous learning in all kinds and in all languages, that a man would have thought he had been entirely conversant among books, and had never spent an hour but in reading and writing; yet his humanity, courtesy, and affability were such, that he would have been thought to have been bred in the best courts, but that his good nature, charity, delight in doing good, and in communicating all he knew exceeded that breeding. His style, in all his writings, seems harsh and sometimes obscure, which is not wholly to be attributed to the abstruse subjects of which he commonly treated, but to a little undervaluing of style, and to too much propensity to the language of antiquity; but *in his conversation he was the most clear discourser, and had the best faculty of making hard things easy, and of presenting them clearly to the understanding, of any man that hath been known.*" This criticism is certainly justified by a comparison of his writings with his talk. But of this presently.

"By a vote of the House of Commons, November 8, 1643," says Mr. Singer, "Selden was appointed Keeper of the Records in

the Tower—an office for which he was peculiarly fitted, and which probably furnished him with an excuse for gradually withdrawing from the political vortex, where he found himself almost alone in his position as a moderator. Yet upon important occasions he was still to be found at his post, as long as he thought he could be useful."

This office he seems to have resigned in 1645, upon the passing of the Self-Denying Ordinance; and he appears after this period to have devoted himself almost entirely to literary pursuits and learned researches. We find him occasionally assisting ecclesiastical and other friends who had fallen into disfavor with the government, and aiding all efforts to advance learning and literature; but otherwise he seems to have devoted himself to his books, living quietly in the household of the Duchess of Kent, where he often met and entertained his friends, and where he died in 1654. I shall, after we have made some acquaintance with his Table Talk, give some details of his closing years, which will, I think, be read with more interest when we have become a little better acquainted with the spirit and thought of the man.

III

Origin of the Table-Talk—Secret of its Popularity—Parallel between Selden and Johnson

Selden's Table Talk was taken down by the Rev. Richard Milward, who had been his amanuensis and daily companion for over twenty years, and who declared that "the sense and notion" of the Talk are "wholly his," and "most of the words." The work was not published till nine years after the death of the compiler (1689), which was thirty-five years after the death of the author. It is recognized as an authentic record, confirmed by the evidence of the work itself and by the testimony of those who knew Selden personally. To Milward, who was the only man among Selden's numerous friends who had the good sense and the ability to make some record of his conversation, the world owes a debt of gratitude, and his name should be held in kindly remembrance by all lovers of good literature. Such men are rare

—men who have the discrimination to value and the capacity to report the conversation of a great man—and his meed of fame should not be denied him. Not one among Shakespeare's or Bacon's friends saw anything in their conversation worthy of record —or, if they did, they were too dull or too indolent to make any record of it—and all the more honor is due to Richard Milward, who appreciated the talk of his master, and had the wit to understand and the talent to record the wise sayings that fell from his lips.

So here is an extraordinary thing. A book of which the author, though its contents are all his own, knew nothing; a book which he did not compose, nor intend for publication; a book which lay neglected for years after the author's death, and even after the death of the compiler, who had probably forgotten all about it—here, I say, is an extraordinary thing: that this singular book, which surpasses in interest all the works written and published by the author, should be the work by which he is best known, and by which his name and fame are transmitted to posterity! For of the works composed by Selden himself few persons nowadays except learned jurists and studious antiqua-

rians know anything; they are of a nature little interesting to the world in general, written in an antiquated style, and treating of subjects which have long since been handled by others in a clearer light and fresher style. So that if it were not for Milward's record of his Table Talk, Selden would probably be as little known and as rarely read as many of the other numerous learned and voluminous writers of his day.

What is the secret of its popularity? In the age of the author its popularity may be accounted for by the fact that Selden, in his Talk, gives the public a glimpse of the actors behind the scenes, and reveals the inner springs, the thoughts, motives, and opinions of many who played a prominent part on the political stage of his day. But this cannot explain the attraction of the book among the generations who have come and gone since it was published. No; its fascination lies in the intrinsic merit of the work itself; in the style, the language, the thoughts of the author, and in the eternal verities which he proclaims. In fact, the work presents one of the best possible illustrations of Buffon's phrase, *"Le style c'est l'homme;"* for we see here the very man himself in almost every sentence he utters. Every

thought he expresses is so characteristic of him that it could not be mistaken for that of any other man. This keen, shrewd, careful, caustic old lawyer, with his thin visage, sharp nose, tall figure, and plain speech, stands out before us in every word he utters as distinctly as if we saw him before our eyes. We can see how such a man, with his wide experience of the world and large knowledge of recent and past history, fascinated those who listened to him; and we can imagine the effect his utterances must have had, clinched as they always were by some pithy, homely comparison, on those who listened to him. If the report of his Talk is so striking, what must the thing itself have been? For the report is but a mere outline of his conversation, after all.

Among his friends Selden threw off the garb which he wore as a writer and showed himself in the plainest attire; always expressing his thought in the common home-bred speech of the people. With that uncompromising love of truth, that strong common sense, or, as some term it, "horse-sense," characteristic of most Englishmen, he at once reaches and covers the point at issue, and, however high the subject, illustrates it by a homely simile which at once renders it

clear to the understanding, and fixes it in the memory forever.

It is a remarkable fact that Selden in this respect bears a strong resemblance to that other learned and voluminous writer, Dr. Johnson, whose fame now rests chiefly on Boswell's report of his conversation with his friends. Both men spoke better than they wrote; both wrote in a manner quite different from that in which they talked; for while, in their writings, they displayed vast learning and critical skill in a labored and Latinized style, in their conversation they exhibited strong common sense and a wide knowledge of men and affairs in plain, forcible, idiomatic English. It is true, most of Selden's writings are in Latin; but his English writings are almost as high-strung and labored as his Latin. In his talk we see the man "in his habit as he lived," while in his books we see only the learned advocate, speaking in the conventional style and wearing the conventional garb of his profession. It was chiefly in his conversation that Selden displayed that "faculty of making hard things easy" which made such an impression upon Lord Clarendon; and the same thing may be said of Dr. Johnson, whose conversation seems to have an ever-increasing attrac-

tion, while his writings are, I think, falling more and more into neglect.

To the literary student and to the young writer and orator this fact should serve as an instructive lesson. For, as a general thing, it may be safely asserted, I think, that the greater the man the simpler the words in which he clothes his thought; and *vice versa*. This rule will stand for conversation and oratory, at all events. And the fact that both of these able and learned men should, for their unstudied talk, receive an audience and a hearing immeasurably larger than they ever received for their labored and studied writings, is an example that illustrates in a striking manner the greater attractiveness of plain speech over what may be termed refined and elaborate composition. What is expressed with difficulty enters the mind with difficulty; and most people do not care to read books that require labor or exertion to understand them. This lesson is sometimes enforced by a reference to the writings of Defoe and Swift, of Bunyan and Cobbett; but I think it is still more distinctly marked by a comparison of the written and spoken language of Selden and Johnson.

In the case of Dr. Johnson, Macaulay makes the distinction plain by quoting the

remark of the Doctor touching a certain play, "It has not wit enough to keep it sweet;" and then the different expression he gave to it when he thought his remark not dignified enough: "I mean, sir, it has not vitality enough to preserve it from putrefaction." This last was his written style, while the former, which is far superior, was his spoken style. The same comparison might be made with regard to the language of Selden, who, before sitting down to dinner, was accustomed to say: "I will keep myself warm and moist as long as I live; for when I am dead I shall be cold and dry." Note that every word in this sentence, except one, is of one syllable. Now, if he had to write this sentence, he would probably have said: "As long as I enjoy the happiness of existence, I shall endeavor to preserve my corporeal frame in a condition of warmth and comfort; for when my spirit has quitted this earthly sphere, my hands will be as cold as hyperborean ice, and my body as dry as the desiccated sands of the Arabian desert."

When an able New York clergyman had preached a written sermon in the morning and a free-spoken one in the evening, one of his hearers said to him, "Doctor, your sermon this morning was Latin; that of this

evening was English; I prefer the English by far." That man, you may be sure, spoke for more than himself in those audiences.

But I shall now ask the reader to judge for himself, by the perusal of his Talk, what manner of man he was. Of one thing, however, I must warn him, which is that in the age of Selden theological questions entered into nearly every subject discussed; so he must not be surprised to find a good deal of this in Selden's talk.

Of the whole Table-Talk I have omitted about one fifth, which consists of passages, chiefly on ecclesiastical matters, that are now of little or no interest to the modern reader. Mr. Singer's foot-notes I have indicated by the letter S, and the few observations made by the writer I have placed in similar type directly after the passages to which they refer, which will not, I hope, impair the continuity or the character of talk which the whole possesses.

JOHN SELDEN'S TABLE-TALK

TO THE HONORABLE

MR. JUSTICE HALES,

ONE OF THE JUDGES OF THE
COMMON PLEAS,

AND TO THE MUCH HONORED

EDWARD HEYWOOD, JOHN VAUGHAN, AND ROWLAND JEWKS, ESQS.*

Most Worthy Gentlemen:

WERE you not executors to that person who, while he lived, was the glory of the nation, yet I am confident anything of his would find acceptance with you; and truly the sense and notion here is wholly his, and most of the words. I had the opportunity to hear his discourse twenty years together; and lest all those excellent things that usually fell from him might be lost, some of them from time to

* Milward, or the transcriber, has made strange work with the names prefixed to this dedication. "Mr. Justice Hales" is, of course, Sir Matthew Hale; and as he ceased to be one of the judges of the Common Pleas on the death of Cromwell in 1658, the TABLE-TALK must, therefore, have been prepared for publication soon after Selden's death, although it remained in MS. until 1689, nine years after that of the compiler. "Heywood" should be Heyward, Selden's early friend. "Vaughan" was afterward Chief Justice of the Common Pleas.—S.

time I faithfully committed to writing, which here, digested into this method, I humbly present to your hands. You will quickly perceive them to be his by the familiar illustrations wherewith they are set off, and in which way you know he was so happy, that, with a marvelous delight to those that heard him, he would presently convey the highest points of religion, and the most important affairs of state, to an ordinary apprehension.

In reading, be pleased to distinguish times, and in your fancy carry along with you the when and the why many of these things were spoken; this will give them the more life and the smarter relish. 'Tis possible the entertainment you find in them may render you the more inclinable to pardon the presumption of

Your most obliged and
most humble servant,
Ri. Milward.

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THE TABLE-TALK OF JOHN SELDEN

Abbeys, Priories, Etc.

When the founders of abbeys laid a curse upon those that should take away those lands, I would fain know what power they had to curse me. 'Tis not the curses that come from the poor, or from anybody, that hurt me because they come from them, but because I do something ill against them that deserves God should curse me for it. On the other side, 'tis not a man's blessing me that makes me blessed; he only declares me to be so; and if I do well I shall be blessed, whether anyone bless me or not.

Henry the Fifth put away the friars, aliens, and seized to himself 100,000*l.* a year; and therefore they were not the Protestants only that took away Church lands.

In Queen Elizabeth's time, when all the abbeys were pulled down, all good works defaced, then the preachers must cry up justification by faith, not by good works.

Baptism.

'Twas a good way to persuade men to be christened, to tell them that they had a foulness about them, *viz.*, original sin, that could not be washed away but by baptism.

The baptizing of children, with us, does only prepare a child against he comes to be a man to understand what Christianity means. In the Church of Rome it has this effect—it frees children from hell. They say they go into *Limbus Infantum.* It succeeds circumcision, and we are sure the child understood nothing of that at eight days old; why then may not we as reasonably baptize a child at that age? In England of late years I ever thought the parson baptized his own fingers rather than the child.

In the primitive times they had godfathers to see the children brought up in the Christian religion, because, many times, when the father was a Christian the mother was not, and sometimes when the mother was a Christian the father was not; and therefore they made choice of two or more that were Christians to see their children brought up in that faith.

Bible, Scripture.

'Tis a great question how we know Scripture to be Scripture; whether by the Church or by man's private spirit. Let me ask you how I know anything; how I know this carpet to be green? First, because somebody

told me it was green: that you call the Church, in your way. Then, after I have been told it is green, when I see the color again I know it to be green; my own eyes tell me it is green: that you call the private spirit.

The English translation of the Bible is the best translation in the world and renders the sense of the original best, taking in for the English translation the Bishops' Bible* as well as King James's.† The translation in King James's time took an excellent way. That part of the Bible was given to him who was most excellent in such a tongue (as the Apocrypha to Andrew Downs); and then they met together and one read the translation, the rest holding in their hands some Bible, either of the learned tongues, or French, Spanish, Italian, etc.; if they found any fault they spoke; if not, he read on.

* The Bishops' Bible, begun soon after Elizabeth's accession to the throne by Archbishop Parker and eight bishops, besides others. It was published in 1568 with a preface by Parker.—S.

† King James's. Begun in 1607, published in 1611. Forty-seven of the most learned men in the nation employed on it. There is no book so translated, that is, so peculiarly translated, considering the purpose it was meant for—general reading. Many impressions of English Bibles printed at Amsterdam, and more at Edinburgh, in Scotland, were daily brought over hither and sold here. Little their volumes, and low their prices, as being of bad paper, worse print, little margin, yet greater than the care of the corrector—many abominable errata being passed therein. Take one instance for all: Jer. iv, 17, speaking of the whole commonwealth of Judah, instead of "Because she hath been rebellious against me, saith the Lord," it is printed (Edinb., 1637), "Because she hath been *religious* against me."—S.

There is no book so translated as the Bible for the purpose. If I translate a French book into English, I turn it into English phrase, not into French English. *"Il fait froid:"* I say 'tis cold; not, it makes cold; but the Bible is rather translated into English words than into English phrase. The Hebraisms are kept, and the phrase of that language is kept; which is well enough, so long as scholars have to do with it; but when it comes among the common people—Lord, what gear do they make of it!

Scrutamini Scripturas. These two words have undone the world. Because Christ spake them to his disciples, therefore we must all, men, women, and children, read and interpret the Scripture.

[When Selden said this, I have no doubt he had an eye to the many sects that were springing up in his time. But it will be a sad day for liberty of thought when none but ecclesiastics and learned men are allowed to interpret the Scriptures. At the present day it is the ecclesiastics themselves, like Dr. Briggs and others, who are undermining the faith of the people.]

Henry the Eighth made a law that all men might read the Scripture except servants; but no women except ladies and gentlewomen, who had leisure and might ask somebody the meaning. The law was repealed in Edward the Sixth's days.

Laymen have best interpreted the hard

places in the Bible, such as Johannes Picus, Scaliger, Grotius, Salmasius, Heinsius, etc.

If you ask which [of these three], Erasmus, Beza, or Grotius, did best upon the New Testament, 'tis an idle question; for they all did well in their way. Erasmus broke down the first brick, Beza added many things, and Grotius added much to him; in whom we have either something new or something heightened that was said before, and so 'twas necessary to have them all three.

The text serves only to guess by; we must satisfy ourselves fully out of the authors that lived about those times.

In interpreting the Scripture, many do as if a man should see one have ten pounds, which he reckoned by 1, 2, 3, 4, 5, 6, 7, 8, 9, 10: meaning four was but four units, and five five units, etc., and that he had in all but ten pounds. The other that sees him takes not the figures together as he doth, but picks here and there, and thereupon reports, that he hath five pounds in one bag, and six pounds in another bag, and nine pounds in another bag, etc., whereas, in truth, he hath but ten pounds in all. So we pick out a text, here and there, to make it serve our turn; whereas if we took it all together, and considered what went before and what followed after, we should find it meant no such thing.

Make no more allegories in Scripture than needs must. The Fathers were too frequent

in them; they, indeed, before they fully understood the literal sense, looked out for an allegory. The folly whereof you may conceive thus: Here, at the first sight, appears to me in my window a glass and a book; I take it for granted 'tis a glass and a book; thereupon I go about to tell you what they signify: afterward, upon nearer view, they prove no such thing; one is a box made like a book, the other is a picture made like a glass; where's now my allegory?

When men meddle with the literal text the question is, where they should stop. In this case, a man must venture his discretion, and do his best to satisfy himself and others in those places where he doubts; for although we call the Scripture the word of God (as it is), yet it was writ by a man, a mercenary man, whose copy either might be false or he might make it false. For example, here were a thousand Bibles printed in England with the text thus: "*Thou shalt commit adultery;*" the word *not* left out.* Might not this text be mended?

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* Archbishop Usher, on his way to preach at St. Paul's Cross, entered a bookseller's shop and purchased a London edition of the Bible, in which, to his astonishment and dismay, he found the text he had selected was omitted. This was the occasion of the first complaint on the subject, and inducing further attention, the king's printers, in 1632, were justly fined £3,000 for omitting the word "not" in the seventh commandment. During the reign of the Parliament a large impression of the Bible was suppressed on account of its errors and corruptions,

The Scripture may have more senses besides the literal, because God understands all things at once; but a man's writing has but one true sense, which is that which the author meant when he writ it.

When you meet with several readings of the text, take heed you admit nothing against the tenets of your Church, but do as if you were going over a bridge: be sure you hold fast by the rail, and then you may dance here and there as you please; be sure you keep to what is settled, and then you may flourish upon your various lections [readings].

BISHOPS.

FOR a bishop to preach, 'tis to do other folks' office, as if the steward of the house should execute the porter's or the cook's place. 'Tis his business to see that they and all others about the house perform their duties. [This applies to every overseer or executive officer—a line of conduct whose efficiency is well illustrated by the old saying, "The eye of the master can do more than both his hands."]

That which is thought to have done the bishops hurt is their going about to bring men to a blind obedience, imposing things upon them (though perhaps small and well enough) without preparing them, and insinu-

many of which were the results of design as well as of negligence. The errors in two of the editions actually amounted respectively to 3,600 and 6,000.—*Johnson's Memoirs of Selden.*

ating into their reasons and fancies. Every man loves to know his commander. I wear these gloves; but perhaps, if an alderman should command me, I should think much to do it. What has he to do with me? Or, if he has, peradventure I do not know it. This jumping upon things at first dash will destroy all. To keep up friendship there must be little addresses and applications; whereas bluntness spoils all quickly. To keep up the hierarchy, there must be little applications made to men; they must be brought on by little and little. So in the primitive times the power was gained, and so it must be continued. Scaliger said of Erasmus: *Si minor esse voluerit, major fuisset.* So we may say of the bishops: *Si minores esse voluerint, majores fuissent.* [That is: had he desired to be smaller he would have been greater. And so of the bishops: had they desired to be smaller they would have been greater.]

The bishops were too hasty, else with a discreet slowness they might have had what they aimed at. The old story, of the fellow that told the gentleman he might get to such a place if he did not ride too fast, would have fitted their turn.

For a bishop to cite an old canon to strengthen his new articles is as if a lawyer should plead an old statute that has been repealed—God knows how long.

Bishops were formerly one of these two

conditions: either they were bred canonists and civilians, sent up and down, embassadors to Rome and other parts, and so by their merit came to that greatness; or else great noblemen's sons, brothers, and nephews, and so born to govern the state. Now they are of a low condition, their education nothing of that way: they get a living, and then a greater living, and then a greater than that, and so come to govern.

Bishops are now unfit to govern because of their learning: they are bred up in another law; they run to a text for something done among the Jews that nothing concerns England; 'tis just as if a man would have a kettle, and he would not go to our brazier to have it made as they make kettles, but he would have it made as Hiram made his brasswork, who wrought in Solomon's Temple. [How true this is of some of the sectaries at the present day!]

To take away bishops' votes is but the beginning to take *them* away; for then they can be no longer useful to the king or state. 'Tis but the little wimble, to let in the greater auger. *Objection.* But they are but for their life, and that makes them always go for the king as he will have them. *Answer.* This is against a double charity; for you must always suppose a bad king and bad bishops. Then again, whether will a man be sooner content himself should be made a slave, or his son

after him? When we talk of our children we mean ourselves. Besides, they that have posterity are more obliged to the king than they that are only for themselves, in all the reason in the world.

How shall the clergy be in the Parliament if the bishops are taken away? *Answer.* By the laity; because the bishops, in whom the rest of the clergy are included, assent to the taking away their own votes, by being involved in the major part of the House. This follows naturally.

The bishops being put out of the House, whom will they lay the fault upon now? When the dog is beat out of the room, where will they lay the smell?

Bishops Out of Parliament.

Though some of the bishops pretend to be *jure divino*, yet the practice of the kingdom has ever been otherwise; for whatever bishops do, otherwise than the law permits, Westminster Hall can control, or send them to absolve, etc.

He that goes about to prove bishops *jure divino** does as a man that, having a sword,

* Who would not have laughed to hear a Presbyterian observe, from the first chapter of Genesis, first verse, that, whilst Moses relates what God made, he speaks nothing of bishops? by which it was evident that bishops were not of divine institution—a conceit as ridiculous as that of a priest who, finding *Maria* spoken of, signifying *seas*, did brag that he had found the Virgin *Mary* named in the Old Testament.—*Religio Stoici*, 12mo, Edinb., 1663, p. 77.

shall strike it against an anvil: if he strike it awhile there he may peradventure loosen it, though it be never so well riveted. 'Twill serve to strike another sword, or cut flesh, but not against an anvil.

If you should say you hold your land by Moses's or God's law, and would try it by that, you may perhaps lose, but by the law of the kingdom you are sure of it. So may the bishops by this plea of *jure divino* lose all. The Pope had as good a title by the law of England as could be had, had he not left that and claimed by power from God.

There is no government enjoined by example, but by precept; it does not follow we must have bishops still because we have had them so long. They are equally mad who say bishops are so *jure divino* that they must be continued, and they who say they are so antichristian that they must be put away. All is as the state pleases.

If there be no bishops there must be something else which has the power of bishops, though it be in many; and then had you not as good keep them? If you will have no half crowns, but only single pence, yet thirty single pence are half a crown; and then had you not as good keep both? But the bishops have done ill. 'Twas the men, not the function. As if you should say, you would have no more half crowns because they were stolen; when the truth is they were not stolen

because they were half crowns, but because they were money, and light in a thief's hand.*

They that would pull down the bishops, and erect a new way of government, do as he that pulls down an old house and builds another in another fashion. There's a great deal of do, and a great deal of trouble: the old rubbish must be carried away, and new materials must be brought; workmen must be provided—and perhaps the old one would have served as well.

'Twill be great discouragement to scholars that bishops should be put down: for now the father can say to his son, and the tutor to his pupil, "Study hard, and you shall have *vocem et sedem in Parliamento;*" then it must be, "Study hard, and you shall have a hundred a year if you please your parish." *Objection.* But they that enter into the ministry for preferment are like Judas, that looked after the bag. *Answer.* It may be so, if they turn scholars at Judas's age; but what arguments will they use to persuade them to follow their books while they are young? [What arguments have we here in the United States? Wealth and social position; of positions of

* Dr. Aikin has observed that Selden steered a middle course, as one who was an enemy to the usurpations of ecclesiastical power, yet was friendly to the discipline of the Church of England. He certainly strove in the House of Commons to prevent the abolition of episcopacy. It is evident that he disliked the Presbyterians, but it would be difficult to say what Church would have had his entire approbation.—S.

honor there are few. Do we now consider it a high honor to become a member of Congress? Would it be a great incentive to an American boy to tell him that if he studied hard he would become a bishop? Times have changed indeed. But we must not forget that in the English Episcopal Church bishops are, practically, appointed by the government, and the government rarely appoints an inefficient man.]

BOOKS, AUTHORS.

THE giving a bookseller his price for his books has this advantage: he that will do so shall have the refusal of whatsoever comes to his hand, and so by that means get many things which otherwise he never should have seen.

Popish books teach and inform; what we know we know much out of them. The Fathers, Church story, schoolmen, all may pass for Popish books; and if you take away them, what learning will you leave? Besides, who must be judge? The customer* or the waiter? If he disallows a book it must not be brought into the kingdom; then the Lord have mercy upon all scholars! These Puritan preachers, if they have anything good, they have it out of Popish books, though they will

* *Customer*, that is, the officer of the customs. The importation of Popish books was contraband; it was one of the charges against Laud that he had suffered the customs to let pass many Popish books.—S.

not acknowledge it for fear of displeasing the people. He is a poor divine that cannot sever the good from the bad.

'Tis good to have translations, because they serve as a comment, so far as the judgment of one man goes.

In answering a book, 'tis best to be short; otherwise he that I write against will suspect I intend to weary him, not to satisfy him. Besides, in being long I shall give my adversary a huge advantage; somewhere or other he will pick a hole.

In quoting of books quote such authors as are usually read; others you may read, for your own satisfaction, but not name them.*

Quoting of authors is most for matter of fact, and then I cite them as I would produce a witness: sometimes for a free expression; and then I give the author his due, and gain myself praise by reading him.

To quote a modern Dutchman, where I may use a classic author, is as if I were to justify my reputation, and neglect all persons of note and quality that know me, and bring the testimonial of the scullion into the kitchen.

[Remember, this was said over two centuries

* We are told in the Walpoliana that Bentley would not even allow that a book was worthy to be read that could not be quoted. "Having found his son reading a novel, he said, 'Why read a book that you cannot quote?'" Selden's own conduct was at variance with his dictum, for in his own works he freely quotes from all sources, many of them the most recondite, and certainly not such as "are usually read."—S.

ago; and yet it does not appear that the Dutch have, since that time, made very great advances or acquired any great distinction in literature. Mr. Gosse, who has written a history of Dutch literature for the *Encyclopaedia Britannica,* declares that "no very great genius has arisen in Holland in any branch of literature." I have always thought that a low-lying, monotonous, watery country has a less stimulating effect on the minds of its inhabitants than a high-placed, diversified, mountainous country. He who is born in such a country should be grateful to God for the blessing. Perhaps Selden had also in mind, when he uttered the above opinion about "a modern Dutchman," his famous antagonist, Hugo Grotius, whose treatise, *Mare Liberum,* in which the author endeavored to prove that the ocean is free to all and cannot be appropriated by any one nation, Selden successfully controverted in his treatise, *Mare Clausum.* . . . Touching translations, which Selden thought it good to have, Emerson declares that in his later years he never read an original wherever he could find a translation. Shakespeare, I am sure, followed the same plan; hence his freedom from the pedantic, stiff style of many of his contemporaries; for much reading of foreign languages impairs an author's English style, as it certainly did Selden's. It is the thought or the facts a reader wants, which, though not so finely expressed in a translation,

are more readily assimilated by the reader when found in his native tongue. I do not say a word against the learning of foreign languages, which is an indispensable thing for him who would be a good writer or speaker. . . . Dr. Johnson, who preferred to be thoroughly scored by the critics rather than not to be mentioned at all, used to say that when he got hold of a book he tried "to tear the heart out of it!" There are so many books nowadays, this is the only way to read many of them. Get at the main thing the author wants to say or to solve, which may sometimes be expressed in a sentence, and let the rest go. Some public men keep a secretary or reader expressly for the purpose of boiling down for them the contents of current books to a few sentences. Mr. Spurgeon's secretary did more: he searched ancient and modern authors to furnish him with the materials he wanted. Lord Macaulay used literally to *walk through* a book; he would turn leaf after leaf, simply glancing at a sentence here and there, and in an hour he had got "the heart of it!" "Some books are to be *tasted;* others to be *swallowed;* and some FEW to be *chewed* and *digested,*" is Bacon's well-known advice. Has not every man an affinity for certain books, as he has for certain persons? Read those for which you have an affinity; this affinity will grow and expand in time. I do not believe in the best hundred books for

everybody, any more than the best hundred dishes.]

Ceremony.

Ceremony keeps up all things. 'Tis like a penny glass to a rich spirit, or some excellent water; without it the water were spilt, the spirit lost. [That is, those powerful little attentions, the doffing of the hat, etc., by which alone many men succeed.]

Of all people ladies have no reason to cry down ceremony; for they take themselves slighted without it. And were they not used with ceremony, with compliments and addresses, with bowing and kissing of hands, they were the pitifulest creatures in the world. But yet methinks to kiss their hands after their lips, as some do, is like little boys that after they eat the apple fall to the paring, out of a love they have to the apple.

Changing Sides.

'Tis the trial of a man to see if he will change his side, and if he be so weak as to change once he will change again. Your country fellows have a way to try if a man be weak in the hams, by coming behind him and giving him a blow unawares: if he bend once he will bend again.

The lords that fall from the king after they have got estates by base flattery at court, and now pretend conscience, do as a vintner, that, when he first sets up, you may bring your

companion to his house, and do your things there; but when he grows rich he turns conscientious, and will sell no wine upon the Sabbath day.

After Luther had made a combustion in Germany about religion he was sent to, by the Pope, to be taken off, and offered any preferment in the Church that he would make choice of. Luther answered, if he had offered half as much at first he would have accepted it; but now he had gone so far he could not come back. In truth he had made himself a greater thing than they could make him; the German princes courted him; he was become the author of a sect ever after to be called Lutherans. So have our preachers done, those that are against the bishops; they have made themselves greater with the people than they can be made the other way; and therefore there is the less probability in bringing them off.

Christians.

In the High Church of Jerusalem the Christians were but another sect of Jews that did believe the Messias was come. To be called was nothing else but to become a Christian, to have the name of a Christian, it being their own language; for, among the Jews, when they made a doctor of law 'twas said he was called.

The Turks tell their people of a heaven where there is sensible pleasure, but of a hell

where they shall suffer they don't know what. The Christians quite invert this order; they tell us of a hell where we shall feel sensible pain, but of a heaven where we shall enjoy we can't tell what.

Church.

Heretofore the kingdom let the Church alone, let them do what they would, because they had something else to think of, *viz.*, wars; but now, in time of peace, we begin to examine all things, will have nothing but what we like; grow dainty and wanton. Just as in a family: when the heir uses to go a-hunting he never considers how his meal is dressed—takes a bit and away; but when he stays within, then he grows curious; he does not like this, nor does he like that; he will have his meat dressed his own way, or peradventure will dress it himself.

It hath ever been the game of the Church, when the king will let the Church have no power, to cry down the king and cry up the Church; but when the Church can make use of the king's power, then she tries to bring all under the king's prerogative. The Catholics of England go one way, and the court clergy another.

A glorious Church is like a magnificent feast; there is all the variety that may be, but everyone chooses out a dish or two that he likes and lets the rest alone: how glorious soever the Church is, everyone chooses out of it

his own religion, by which he governs himself and lets the rest alone.

The laws of the Church are most favorable to the Church, because they were the Church's own making; as the heralds are the best gentlemen, because they make their own pedigree.

Church of Rome.

Before a juggler's tricks are discovered we admire him, and give him money, but afterward we care not for them; so 'twas before the discovery of the juggling of the Church of Rome.

Catholics say, we, out of our charity, believe they of the Church of Rome may be saved, but they do not believe so of us; therefore their Church is better according to ourselves. First: some of them, no doubt, believe as well of us as we do of them, but they must not say so. Besides, is that an argument their Church is better than ours because it has less charity?

One of the Church of Rome will not come to our prayers; does that argue he doth not like them? I would fain see a Catholic leave his dinner because a nobleman's chaplain says grace. Nor haply would he leave the prayers of the Church if going to Church were not made a mark of distinction between a Protestant and a Papist.

Clergy.

Though a clergyman have no faults of his own, yet the faults of the whole tribe shall be

laid upon him, so that he shall be sure not to lack.

The clergy would have us believe them against our own reason, as the woman would have had her husband against his own eyes: What! will you believe your own eyes before your own sweet wife!

The condition of the clergy toward their prince and the condition of the physician is all one. The physicians tell the prince they have agarick and rhubarb, good for him and good for his subjects' bodies; upon this he gives them leave to use it; but if it prove naught, then away with it; they shall use it no more. So the clergy tell the prince they have physic good for his soul, and good for the souls of his people; upon that he admits them; but when he finds by experience they both trouble him and his people he will have no more to do with them. What is that to them, or anybody else, if a king will not go to heaven?

A clergyman goes not a dram further than this: you ought to obey your prince in general. If he does he is lost. How to obey him you must be informed by those whose profession it is to tell you. The parson of the Tower, a good, discreet man, told Dr. Mosely (who was sent to me and the rest of the gentlemen committed the 3*d Caroli*, to persuade us to submit to the king) that he found no such words as Parliament, Habeas Corpus, Return,

Tower, etc., neither in the Fathers, nor in the schoolmen, nor in the text; and therefore for his part he believed he understood nothing of the business. A satire upon all those clergymen that meddle with matters they do not understand.

The clergy and the laity together are never like to do well; 'tis as if a man were to make an excellent feast, and should have his apothecary and his physician come into the kitchen; the cooks, if they were let alone, would make excellent meat; but then comes the apothecary, and he puts rhubarb into one sauce and agarick into another sauce. Chain up the clergy on both sides. [*Chain up both sides; i. e.*, court clergy and Puritan. Who will say that the makers of our Constitution did not learn something from Selden and his *confrères?* The shoemaker did well when he criticised the shoe in Apelles's picture: but when he went farther, the painter exclaimed, "Shoemaker, stick to your last!" The clergy should not pretend to craft in statesmanship.]

Confession.

In time of Parliament it used to be one of the first things the House did, to petition the king that his confessor might be removed, as fearing either his power with the king, or else lest he should reveal to the Pope what the House was doing; as no doubt he did when the Catholic cause was concerned.

The difference between us and the Papists is, we both allow contrition, but the Papists make confession a part of contrition; they say a man is not sufficiently contrite till he confess his sins to a priest.

Why should I think a priest will not reveal confession? I am sure he will do anything that is forbidden him; haply not so often as I. The utmost punishment is deprivation; and how can it be proved that ever any man revealed confession, when there is no witness? And no man can be witness in his own cause. A mere gullery. There was a time when 'twas public in the Church; and that is much against their auricular confession.

Competency.

That which is a competency for one man is not enough for another, no more than that which will keep one man warm will keep another man warm; one man can go in doublet and hose, when another man cannot be without a cloak and yet have no more clothes than is necessary for him.

Conscience.

He that hath a scrupulous conscience is like a horse that is not well wayed, he starts at every bird that flies out of the hedge.

A knowing man will do that which a tender conscience man dares not do by reason of his ignorance; the other knows there is no hurt;

as a child is afraid to go into the dark when a man is not, because he knows there is no danger.

If we once come to have that outloose, as to pretend conscience against law, who knows what inconvenience may follow? For thus: Suppose an Anabaptist comes and takes my horse; I sue him; he tells me he did according to his conscience; his conscience tells him all things are common among the saints, what is mine is his; therefore you do ill to make such a law, "If any man takes another's horse he shall be hanged." What can I say to this man? He does according to his conscience. Why is not he as honest a man as he that pretends a ceremony established by law is against his conscience? Generally, to pretend conscience against law is dangerous; in some cases haply we may.

Some men make it a case of conscience whether a man may have a pigeon house, because his pigeons eat other folks' corn. But there is no such thing as conscience in the business; the matter is whether he be a man of such quality that the state allows him to have a dove house; if so, there's an end of the business; his pigeons have a right to eat where they please themselves.*

* *To have a dove house.* A lord of a manor may build a dovecot upon his land, parcel of his manor; but a tenant of the manor cannot do it without license. (3 Salkeld, 248.) But any freeholder may build a dovecot on his own ground. (C. Jac. 382, 490.)—*Burn's Justice.*

Consecrated Places.

The Jews had a peculiar way of consecrating things to God which we have not.

Under the law, God, who was Master of all, made choice of a temple to worship in, where he was more especially present; just as the master of the house, who owns all the house, makes choice of one chamber to lie in, which is called the master's chamber. But under the Gospel there was no such thing; temples and churches are set apart for the conveniency of men to worship in; they cannot meet upon the point of a needle; but God himself makes no choice.

All things are God's already; we can give him no right, by consecrating any, that he had not before, only we set it apart to his service. Just as a gardener brings his lord and master a basket of apricots, and presents them; his lord thanks him, perhaps gives him something for his pains, and yet the apricots were as much his lord's before as now.

What is consecrated is given to some particular man to do God service, not given to God, but given to man to serve God; and there's not anything but some men or other have it in their power to dispose of as they please. The saying things consecrated cannot be taken away makes men afraid of consecration.

Yet consecration has this power: when a man has consecrated anything to God he cannot of himself take it away.

CONTRACTS.

IF our fathers have lost their liberty, why may not we labor to regain it? *Answer.* We must look to the contract; if that be rightly made we must stand to it;* if we once grant we may recede from contracts upon any inconveniency that may afterward happen, we shall have no bargain kept. If I sell you a horse, and do not like my bargain, I will have my horse again.

Keep your contracts; so far a divine goes; but how to make our contracts is left to ourselves; and as we agree upon the conveying of this house, or that land, so it must be. If you offer me a hundred pounds for my glove, I tell you what my glove is, a plain glove, pretend no virtue in it, the glove is my own, I profess not to sell gloves, and we agree for a hundred pounds, I do not know why I may not with a safe conscience take it. The want of that common obvious distinction of *jus praeceptivum,* and *jus permissivum,*† does much trouble men.

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* It will be evident that the force of this observation must depend upon the word *rightly.* But hear the judicious Barrow: "An indefectible power cannot be settled by man, because there is no power ever extant at one time greater than there is at another; so that whatever power we may raise, the other may demolish, there being no bonds whereby the present time may bind all posterity."—S.

† *Jus permissivum, etc.* The law that enjoins, and the law that suffers. "If this doth authorize usury, which before was but *permissive,*" etc.—*Bacon.*

Lady Kent articled with Sir Edward Herbert that he should come to her when she sent for him and stay with her as long as she would have him, to which he set his hand; then he articled with her that he should go away when he pleased and stay away as long as he pleased, to which she set her hand.* This is the epitome of all the contracts in the world, betwixt man and man, betwixt prince and subject; they keep them as long as they like them and no longer.

COUNCIL.

THEY talk (but blasphemously enough) that the Holy Ghost is president of their general councils, when the truth is the odd man is the Holy Ghost.

DAMNATION.

IF the physician sees you eat anything that is not good for your body, to keep you from it he cries 'tis poison; if the divine sees you

* Sir Edward Herbert, Solicitor and Attorney General to Charles the First, and for some time Lord Keeper to Charles the Second, when in exile. Dr. Aikin says that a legal friend suggested to him that Sir Edward Herbert, who was an eminent lawyer, was probably retained for his advice by Lady Kent at an annual salary; and he produced examples of deeds granted for payments on the same account, one of them as late as the year 1715. Hence it would appear that the lady had a great deal of law business on her hands, which would render the domestic counsel of such a person as Selden very valuable to her.—S.

do anything that is hurtful for your soul, to keep you from it he cries you are damned.

To preach long, loud, and damnation is the way to be cried up. We love a man that damns us, and we run after him again to save us. If a man had a sore leg, and he should go to an honest, judicious surgeon, and he should only bid him keep it warm, and anoint with such an oil (an oil well known) that would do the cure, haply he would not much regard him, because he knows the medicine beforehand an ordinary medicine. But if he should go to a surgeon that should tell him, "Your leg will gangrene within three days, and it must be cut off, and you will die, unless you do something that I could tell you," what listening there would be to this man! "O, for the Lord's sake, tell me what this is; I will give you anything for your pains."

Devils.

Why have we none possessed with devils in England? The old answer is, the Protestants the devil hath already, and the Papists are so holy he dares not meddle with them.

Casting out devils is mere juggling; they never cast out any but what they first cast in. They do it where, for reverence, no man shall dare to examine it; they do it in a corner, in a mortise hole, not in the market place. They do nothing but what may be done by art; they make the devil fly out of the window in the

likeness of a bat or a rat; why do they not hold him? Why in the likeness of a bat, or a rat, or some creature? That is, why not in some shape we paint him in, with claws and horns? By this trick they gain much, gain upon men's fancies, and so are reverenced; and certainly if the priest deliver me from him that is my most deadly enemy I have all the reason in the world to reverence him. *Objection.* But, if this be juggling, why do they punish impostors? *Answer.* For great reason: because they do not play their part well, and for fear others should discover them: and so all of them ought to be of the same trade.

A person of quality came to my chamber in the Temple, and told me he had two devils in his head (I wondered what he meant), and just at that time one of them bid him kill me: with that I began to be afraid, and thought he was mad. He said he knew I could cure him, and therefore entreated me to give him something; for he was resolved he would go to nobody else. I, perceiving what an opinion he had of me, and that 'twas only melancholy that troubled him, took him in hand; warranted him, if he would follow my directions, to cure him in a short time. I desired him to let me be alone about an hour, and then to come again, which he was very willing to. In the meantime I got a card, and lapped it up handsome in a piece of taffeta, and put strings

to the taffeta, and when he came gave it him to hang about his neck; withal charged him that he should not disorder himself neither with eating or drinking, but eat very little of supper, and say his prayers duly when he went to bed, and I made no question but he would be well in three or four days. Within that time I went to dinner to his house, and asked him how he did? He said he was much better, but not perfectly well, for in truth he had not dealt clearly with me. He had four devils in his head, and he perceived two of them were gone, with that which I had given him, but the other two troubled him still. Well, said I, I am glad two of them are gone; I make no doubt but to get away the other two likewise. So I gave him another thing to hang about his neck. Three days after he came to me to my chamber and professed he was now as well as ever he was in his life, and did extremely thank me for the great care I had taken of him. I, fearing lest he might relapse into the like distemper, told him that there was none but myself and one physician more, in the whole town, that could cure devils in the head, and that was Dr. Harvey* (whom I had prepared), and wished him, if ever he found himself ill in my absence, to go to him, for he could cure his disease as well as

* Doubtless Dr. William Harvey (1578–1657), discoverer of the circulation of the blood, who was for years a practicing physician in London.—W.

myself. The gentleman lived many years and was never troubled after.

SELF-DENIAL.

'TIS much the doctrine of the times that men should not please themselves, but deny themselves everything they take delight in; not look upon beauty, wear no good clothes, eat no good meat, etc., which seems the greatest accusation that can be upon the Maker of all good things. If they be not to be used, why did God make them? The truth is, they that preach against them cannot make use of them themselves; and then again, they get esteem by seeming to condemn them. But mark it while you live, if they do not please themselves as much as they can; and we live more by example than precept. [We show our lives more by what we *do* than what we *say*. Here, evidently, Selden had in mind some of the severe doctrines of the Puritans. When Shakespeare made Sir Toby Belch exclaim to Malvolio, who is represented as "a kind of Puritan," "Dost thou think, because thou art virtuous, there shall be no more cakes and ale?" he evidently had the same doctrines in mind.]

EPITAPH.

AN *Epitaph* must be made fit for the person for whom it is made. For a man to say all the excellent things that can be said upon one, and call that his *Epitaph*, is as if a painter

should make the handsomest face he can possibly make, and say 'twas my picture. This holds in a funeral sermon.

[Some wag wrote on a churchyard gate: "Here lie the dead, and here the living lie." It is right to say all the good you can of the dead (or of the living); but never anything false or fulsome.]

Equity.

Equity, in law, is the same that the spirit is in religion: what everyone pleases to make it. Sometimes they go according to conscience, sometimes according to law, sometimes according to the rule of court.

Equity is a roguish thing: for law we have a measure, know what to trust to; equity is according to the conscience of him that is chancellor, and as that is larger or narrower, so is equity. 'Tis all one as if they should make the standard for the measure we call a foot, a chancellor's foot; what an uncertain measure would this be! One chancellor has a long foot, another a short foot, a third an indifferent foot. 'Tis the same thing in the chancellor's conscience.

That saying, "Do as you would be done to," is often misunderstood; for 'tis not thus meant that I, a private man, should do to you, a private man, as I would have you to me, but do as we have agreed to do one to another by public agreement. If the prisoner should ask

the judge whether he would be content to be hanged, were he in his case, he would answer No. Then, says the prisoner, do as you would be done to. Neither of them must do as private men, but the judge must do by him as they have publicly agreed; that is, both judge and prisoner have consented to a law that, if either of them steal, he shall be hanged.

EVIL-SPEAKING.

HE that speaks ill of another, commonly, before he is aware, makes himself such a one as he speaks against; for if he had civility or breeding he would forbear such kind of language.

A gallant man is above ill words; an example we have in the old Lord of Salisbury, who was a great wise man. Stone had called some lord about court, Fool; the lord complains, and has Stone whipped. Stone cries, "I might have called my Lord of Salisbury Fool often enough before he would have had me whipped."*

* Whipping was the punishment generally inflicted. Lear threatens his fool with the whip. "Everyone knows," says Mr. Douce, "the disgraceful conduct of Archbishop Laud to poor Archee. As Laud was proceeding to the council the jester accosted him with, 'Wha's foule now? doth not your grace hear the news from Striveling about the liturgy?' This was not to be pardoned either by the prelate or his master, and the records of the council, March 11, 1637–8, tell us that Archibald Armstrong, the king's fool, for certain scandalous words of a high nature spoken by him against his grace the Lord

Speak not ill of a great enemy, but rather give him good words, that he may use you the better if you chance to fall into his hands. The Spaniard did this when he was dying. His confessor told him (to work him to repentance) how the devil tormented the wicked that went to hell: the Spaniard, replying, called the devil "my lord:" "I hope my lord the devil is not so cruel." His confessor reproved him. "Excuse me," said the Don, "for calling him so; I know not into whose hands I may fall, and if I happen into his I hope he will use me the better for giving him good words." [This story has been paraphrased in various ways. One of these paraphrases represents a poor sailor who, when the ship is sinking, prays now to God, now to the devil; and upon being asked the reason, replied that he did not know into whose hands he would fall, and wished to be on good terms with both!]

Archbishop of Canterbury, shall have his coat pulled over his head, and be discharged the king's service, and banished the court." (See Rushworth, part ii, vol. i, p. 471.) The haughty Duke D'Espernon was, however, more discreet; his Gascon accent was a constant source of raillery on the part of Maret, the fool of Lewis XIII, whose talent lay in mimicry. Richelieu admonished the duke to get rid of his provincial tones, at the same time counterfeiting his manner, and sarcastically entreated him not to take the advice in bad part. "Why should I," replied the duke, "when I bear as much every day from the king's fool, who mocks me in your presence?"—*Vigneul de Marville, Mélanges*, ii, 50.—S.

FAITH AND WORKS.

'TWAS an unhappy division that has been made between faith and works. Though in my intellect I may divide them, just as in the candle I know there is both light and heat; but yet put out the candle, and they are both gone; one remains not without the other. So 'tis betwixt faith and works. Nay, in a right conception, faith is works; for if I believe a thing because I am commanded, that is works.

[Selden would have been delighted with the story of the boatman who, having to ferry over a river two passengers who constantly disputed about faith and works, put the word *faith* on one of his oars and *works* on the other; then when he had got out into the stream, he took in the *faith* oar and pulled the boat round and round with the *works* oar; then he did likewise with the other. "Now," said he, taking hold of both oars, "see how finely they work together!"]

FREE WILL.

THE Puritans, who will allow no free will at all, but God does all, yet will allow the subject his liberty to do or not to do, notwithstanding the king, the God upon earth. The Arminians, who hold we have free will, yet say, when we come to the king there must be all obedience, and no liberty to be stood for. [The Puritans were decidedly the bolder and more reasonable logicians; for though God is

infallible, the king, "the God upon earth," is not.]

FRIARS.

THE friars say they possess nothing: whose then are the lands they hold? Not their superior's; he hath vowed poverty as well as they. Whose then? To answer this 'twas decreed they should say they were the Pope's. And why must the friars be more perfect than the Pope himself?

If there had been no friars, Christendom might have continued quiet, and things remained at a stay.

If there had been no lecturers, which succeed the friars in their way, the Church of England might have stood and flourished at this day.

FRIENDS.

OLD friends are best. King James used to call for his old shoes; they were easiest for his feet. [Goldsmith, in *She Stoops to Conquer,* makes one of his characters say: "I love everything that's old—old friends, old manners, old books, old wine." Nowadays when an employé is getting old the fashion is to shove him aside, to shelve him—age, they say, is fast becoming a crime. Few old men let their beards grow. Is the respect, the reverence for age decreasing? The best mercantile houses in England pension an old employé. Is this so here? Are only *old pictures*—possibly counterfeits—worthy of esteem?]

GENTLEMEN.

WHAT a gentleman is 'tis hard with us to define. In other countries he is known by his privileges; in Westminster Hall he is one that is reputed one; in the Court of Honor, he that hath arms. The king cannot make a gentleman of blood. What have you said? Nor God Almighty: but he can make a gentleman by creation. If you ask, which is the better of these two? civilly, the gentleman of blood; morally, the gentleman by creation may be the better; for the other may be a debauched man, this a person of worth.

Gentlemen have ever been more temperate in their religion than the common people, as having more reason; the others running in a hurry. In the beginning of Christianity the Fathers writ *Contra gentes* and *Contra Gentiles;* they were all one: but after all were Christians the better sort of people still retained the name of Gentiles throughout the four provinces of the Roman Empire; as Gentilhomme in French, Gentil-huomo in Italian, Gentil-hombre in Spanish, and Gentil-man in English; and they, no question, being persons of quality, kept up those feasts which we borrow from the Gentiles; as Christmas, Candlemas, May Day, etc., continuing what was not directly against Christianity, which the common people would never have endured.

[If *gentleman* was hard to define in Selden's time, what shall we say of it to-day? We are

all gentlemen and ladies in the United States. But since the forelady and saleslady, the gentleman who digs the graves and the gentleman who drives the hackney coach, have taken possession of these words, plain *man* and *woman* are now coming into favor among the better class of people. I heard a child exclaim in the street the other day, "Look at that drunken lady!"]

Hall.

The hall was the place where the great lord used to eat (wherefore else were the halls made so big?), where he saw all his servants and tenants about him. He ate not in private except in time of sickness: when once he became a thing cooped up all his greatness was spoiled. Nay, the king himself used to eat in the hall, and his lords sat with him, and then he understood men.

[In order clearly to realize this, let the reader recall the supper of Cedric the Saxon at Rotherwood, where the Templar met Ivanhoe.]

Hell.

There are two texts for Christ's descending into hell:* the one Psalm xvi, the other Acts ii, where the Bible that was in use when

* *The descent into Hell.* For much upon this controverted point see the Appendix to Parr's *Life of Usher*, p. 23 *et seq.* Archbishop Usher's opinion was very much that expressed by Selden.—S.

the Thirty-nine Articles were made has it hell. But the Bible that was in Queen Elizabeth's time, when the Articles were confirmed, reads it grave; and so it continued till the new translation in King James's time, and then 'tis hell again. But by this we may gather the Church of England declined as much as they could the descent, otherwise they never would have altered the Bible.

He descended into hell. This may be the interpretation of it: he may be dead and buried, then his soul ascended into heaven. Afterward he descended again into hell,* that is, into the grave, to fetch his body, and to rise again. The ground of this interpretation is taken from the Platonic learning, who held a metempsychosis, and when the soul did descend from heaven to take another body they called it *κατὰβάσιν εἰς ἅδην*; taking *ἅδης* for the lower world, the state of mortality. Now the first Christians many of them were Platonic philosophers, and, no question, spake such language as was then understood among them. To understand by hell the grave is no tautology; because the Creed first tells what Christ suffered: *He was crucified, dead, and buried;* then it tells us what he did: *He descended into hell, the third day he rose again, he ascended,* etc.

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* In Edward the Sixth's Articles it was "went down to hell to preach to the spirits there."—*Fuller.*

[It is worthy of note that in the Revised Version of the Scriptures the word here referred to in Acts ii and in Psalm xvi is, in both instances, rendered by *Hades*, which really means the place or condition of the dead. The belief that Christ descended into hell to deliver souls from thence is founded chiefly on the passage in 1 Peter iii, 19, 20: "In which also he went and preached unto the spirits in prison, which aforetime were disobedient, when the long-suffering of God waited in the days of Noah." Certainly this would seem to imply that all men will eventually be saved. It is also curious to observe that the word *Sheol*, the hollow, or hell, which the Revised Version renders invariably by *Hades*, is translated in the Authorized Version thirty-one times by "the grave," and thirty-one times by "hell." I suppose the translators tried to make the word suit the context, or what they thought it really meant. One thing is certain, which is, that even the sacred writers themselves were very uncertain, and often differing in view, regarding the nature and locality of hell or *Hades*, and although the fate of the lost has created what Sir J. Stephen calls "a whirlpool of interminable controversy, roaring in endless circles over a dark and unfathomable abyss," the ablest of our modern scholars and divines look upon the biblical expressions regarding this place as partaking largely of the nature of Oriental imagery, or

figurative language, and not to be regarded in any sense as literal. See Canon Farrar's admirable discourse, *Eternal Hope.*]

HUMILITY.

HUMILITY is a virtue all preach, none practice, and yet everybody is content to hear. The master thinks it good doctrine for his servant, the laity for the clergy, and the clergy for the laity. There is *humilitas quaedam in vitio* [humility that becomes a vice.] If a man does not take notice of that excellency and perfection that is in himself, how can he be thankful to God, who is the Author of all excellency and perfection? Nay, if a man hath too mean an opinion of himself, 'twill render him unserviceable both to God and man. [Keep that in mind, young Mr. Overmodesty.]

Pride may be allowed to this or that degree, else a man cannot keep up his dignity. In gluttony there must be eating, in drunkenness there must be drinking: 'tis not the eating nor the drinking that is to be blamed, but the excess. So in pride.

IDOLATRY.

IDOLATRY is in a man's own thought, not in the opinion of another. Put the case, I bow to the altar; why am I guilty of idolatry? because a stander-by thinks so? I am sure I do not believe the altar to be God; and the God

I worship may be bowed to in all places and at all times.

Jews.

God at the first gave laws to all mankind, but afterward he gave peculiar laws to the Jews, which they only were to observe. Just as we have the common law for all England, and yet you have some corporations that, besides that, have peculiar laws and privileges to themselves.

Talk what you will of the Jews, that they are cursed, they thrive where'er they come; they are able to oblige the prince of their country by lending him money; none of them beg; they keep together; and for their being hated, my life for yours Christians hate one another as much.

[Is not this good? Is it not true? What would Selden have said if he were told that in two centuries this "peculiar people" would have acquired half the wealth of the world, and become the arbiters of the fate of tens of millions of Christians? The "whirligig of Time" has brought in his revenges. The Jews are now at the bottom of so many great enterprises—wars, trusts, syndicates, loans, contracts, exchanges, railways, all-embracing department stores, and, above all, the great dailies of the public press—that, after a century or more of comparative freedom from persecution, there is now, even among civilized nations, another current turning against

them—not one against their faith; nobody now cares about that; but a current of hatred and persecution on account of their enormous wealth, and the consequent power and influence this gives them. And the worst of it is, this persecution does not affect so much the wealthy as the poor and unprotected Jews, who are hated solely because they belong to the wealth-acquiring race. What a commentary on Christian charity and justice all this presents! Is it not a dreadful thing for the whole French nation to hound one unfortunate Jew to death? Is not this hatred and intolerance of the Jew the very same spirit which the Jews themselves showed toward Jesus whom they crucified? O poor sons of Jacob! driven and scattered over the face of the earth, and doomed by sheer necessity (their early and long exclusion from other pursuits) to become traders and money-makers, when will you occupy an honorable and noble position in the eyes of the nations? And when will Christians learn that all persecution, from whatever motive, finally turns on the persecutors, or on their descendants? "The villainy you teach me," says Shylock, "I will execute; and it will go hard but I will better the instruction." And he has done so. Nevertheless, this fearful, everlasting pursuit of wealth, on the part of the Jew, has had an evil influence on the character of his race. If I were a Jew, I think I would become a Christian sim-

ply from the circumstance that the noblest, gentlest, grandest, most godlike Man that ever lived had come of my race. Money-making—did he ever think of such a thing? The Jew would say, "No, but the Christians do." True; but they do not make it such an all-engrossing object as the Jews.]

Invincible Ignorance.

'Tis all one to me, if I am told of Christ, or some mystery of Christianity, if I am not capable of understanding it, as if I am not told at all; my ignorance is as invincible; and therefore 'tis vain to call their ignorance only invincible who never were told of Christ. The trick of it is to advance the priest while the Church of Rome says a man must be told of Christ by one thus and thus ordained. [Liberal old fellow! And a good Christian too!]

Images.

The Papists' taking away the Second Commandment is not haply so horrid a thing, nor so unreasonable among Christians, as we make it; for the Jews could make no figure of God but they must commit idolatry, because He had taken no shape; but since the assumption of our flesh we know what shape to picture God in. Nor do I know why we may not make his image provided we be sure what it is: as we say St. Luke took the picture of the Virgin Mary, and St. Veronica of our

Saviour. Otherwise it would be no honor to the king to make a picture and call it the king's picture when 'tis nothing like him.

Though the learned Papists pray not to images, yet 'tis to be feared the ignorant do; as appears by that story of St. Nicholas in Spain. A countryman used to offer daily to St. Nicholas's image; at length by mischance the image was broken and a new one made of his own plum tree; after that the man forbore: being complained of to his ordinary, he answered, 'tis true, he used to offer to the old image, but to the new he could not find in his heart, because he knew 'twas a piece of his own plum tree. You see what opinion this man had of the image; and to this tended the bowing of their images, the twinkling of their eyes, the Virgin's milk, etc. Had they only meant representations, a picture would have done as well as these tricks. It may be with us in England they do not worship images because, living among Protestants, they are either laughed out of it or beaten out of it by shock of argument.

'Tis a discreet way, concerning pictures in churches, to set up no new nor to pull down no old.

[Time and association may make anything sacred. Hence the very stones on which our Saviour walked are sacred, and worthy of reverence. But no sensible man would think of worshiping these things.]

IMPRISONMENT.

SIR KENELM DIGBY was several times taken and let go again, at last imprisoned in Winchester House. I can compare him to nothing but a great fish that we catch and let go again, but still he will come to the bait; at last therefore we put him into some great pond for store.*

INCENDIARIES.

FANCY to yourself a man sets the city on fire at Cripplegate, and that fire continues, by

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* See paragraphs on "Preferment," page 177. This Sir Kenelm Digby (1603–1665) was a very extraordinary man. Though his father had lost his life and estates through his connection with the Gunpowder Plot, the son came in for an estate preserved for him through the care of his mother. After a careful university training he spent his early manhood abroad, especially in France. Returning to England in 1624 he married Venetia Stanley, a lady of rank, beauty, and talent; and in 1627 he started, under royal license, a privateering expedition, in which he defeated a Venetian and French fleet. After the outbreak of the Rebellion he fell under the suspicion of the Parliamentary party, and was banished. Catholic or Protestant by turns, he maintained friendly relations with Cromwell, though he never broke off his connection with the Royalist party, and after the Restoration was well received by Charles II. He had something of the character of Lord Bolingbroke; was courtier, soldier, politician, author, philosopher; and though of doubtful political principles, charmed everybody by his "wonderful graceful behavior, his flowing courtesy and civility, and such a volubility of language as surprised and delighted everybody" with whom he came in contact. So says Clarendon. Anthony Wood says of him: "Had he been dropt out of the clouds in any part of the world, he would have made himself respected; but the Jesuits, who cared not for him, spoke spitefully, and said 'twas true, but he must not have stayed above six weeks.'"—W.

means of others, till it come to Whitefriars, and then he that began it would fain quench it: does he not deserve to be punished most that first set the city on fire? So 'tis with the incendiaries of the state. They that first set it on fire, by monopolizing forest business,* imprisoning Parliament men *tertio Caroli*, etc., are now become regenerate, and would fain quench the fire. Certainly they deserve most to be punished, for being the first cause of our distractions. [How about our millionaires and trust companies? Are they not making a fire which they will fain by and by wish to quench?]

INDEPENDENCY.

INDEPENDENCY is in use at Amsterdam, where forty churches or congregations have nothing to do one with another. And 'tis, without question, agreeable to the primitive times, before the emperor became Christian. For either we must say every Church governed itself, or else we must fall upon that old foolish rock, that St. Peter and his successors governed all. But when the civil state became Christian they appointed who should govern them; before, they governed by agreement and consent: if you will not do this, you shall come no more among us. But both the Inde-

* *Forest business.* Encroachments of the king's lands on the subject's. Decided by jury under direction of corrupt judges.—S.

pendent man and the Presbyterian man do equally exclude the civil power, though after a different manner.

The Independents may as well plead they should not be subject to temporal things, not come before a constable or a justice of peace, as plead they should not be subject in spiritual things because St. Paul says, "Is it so, that there is not a wise man among you?"

The Pope challenges all churches to be under him, the king with the two archbishops challenge all the Church of England to be under him. The Presbyterian man divides the kingdom into as many churches as there be presbyteries; and your Independent would have every congregation a Church by itself.

Public Interest.

All might go well in the commonwealth if everyone in the Parliament would lay down his own interest, and aim at the general good. If a man were sick and the whole college of physicians should come to him, and administer severally, haply so long as they observed the rules of art he might recover; but if one of them had a great deal of scamony by him he must put off that, therefore he prescribes scamony; another had a great deal of rhubarb, and he must put off that, and therefore he prescribes rhubarb, etc.; thus they would certainly kill the man. We destroy the commonwealth while we preserve our own private

interests and neglect the public. [Nothing applies more forcibly to those American citizens of to-day who have no time to vote or to think of the public welfare.]

Human Invention.

You say there must be no human invention in the Church; nothing but the pure word. *Answer.* If I give any exposition but what is expressed in the text, that is my invention; if you give another exposition, that is your invention; and both are human. For example, suppose the word egg were in the text. I say, 'tis meant a hen egg, you say a goose egg; neither of these is expressed, therefore they are human inventions; and I am sure the newer the invention the worse; old inventions are best.

If we must admit nothing but what we read in the Bible what will become of the Parliament? for we do not read of that there.

Judgments.

We cannot tell what is a judgment of God; 'tis presumption to take upon us to know. In time of plague we know we want health, and therefore we pray to God to give us health; in time of war we know we want peace, and therefore pray to God to give us peace. Commonly we say a judgment falls upon a man for something in him we cannot abide. An example we have in King James, concerning the death

of Henry the Fourth of France. One said he was killed for his wenching, another said he was killed for turning his religion. "No," says King James (who could not abide fighting), "he was killed for permitting duels in his kingdom." [Henry the Fourth of France was stabbed in his carriage, in 1598, by a priest named Ravaillac.]

JUDGE.

WE see the pageants in Cheapside, the lions and the elephants, but we do not see the men that carry them: we see the judges look big, look like lions, but we do not see who moves them.*

Little things do great works when the great things will not. If I would take a pin from the ground, a little pair of tongs will do it, when a great pair will not. By no means go to a judge to do a business for you; he will not hear of it; but go to some small servant about him, and he will dispatch it according to your heart's desire. [The reader may remember this by associating it with the wise old English proverb: "As the man is friended so is the law ended."]

* The judges almost unanimously sanctioned Charles's right to ship money and other extortions. When Selden and others sued to be admitted to be bailed out of the Tower, in 1629, Sir Robert Heath, Attorney-general, said to the judges, "I am confident that you will not bail them if any danger may ensue; but first you are to consult with the king; and he will show you where the danger lies."—S.

JUGGLING.

'TIS not juggling that is to be blamed, but much juggling; *for the world cannot be governed without it.* All your rhetoric and all your elenchs [sophisms] in logic come within the compass of juggling.

[This reminds one of Oxenstiern's famous saying: "Look about you, my son, and see how little wisdom it takes to govern the world!" All politicians are more or less jugglers. Sir Henry Wotton's definition of an embassador as "an honest man sent abroad to lie for his country's good" is also in point. Butler, who knew Selden, may have had Selden's words in mind when he wrote:

> "For all a rhetorician's rules
> Teach nothing but to name his tools."]

JURISDICTION.

THERE'S no such thing as spiritual jurisdiction; all is civil; the Church's is the same with the lord mayor's. Suppose a Christian came into a pagan country, how can you fancy he shall have any power there? He finds fault with the gods of the country; well, they will put him to death for it: when he is a martyr, what follows? Does that argue he has any spiritual jurisdiction? If the clergy say the Church ought to be governed thus and thus, by the word of God, that is doctrinal, that is not discipline.

The Pope, he challenges jurisdiction over

all; the bishops, they pretend to it as well as he; the Presbyterians, they would have it to themselves; but over whom is all this jurisdiction? Over the poor laymen.

[This last paragraph recalls a striking picture which may be seen in some of the inns of Germany, or might have been seen before the present emperor came to the throne. It represents a sort of pyramid, with broad ascending steps, on the top of which, or on the highest step, stands the emperor, exclaiming, "I live on the taxes!" On the next lower step stands the soldier, who cries, "I pay for nothing!" On the step below him is the pastor, who says, "I live on the tithes!" Then comes the nobleman on the next step, who airily cries, "I pay no taxes!" Then the beggar, whining, "I live on what is given me!" And then the Jew, who mutters, "I bleed them all!" Finally, on the lowest step of all, beneath the whole crew, stands the poor peasant with bent back, who cries out, with beseeching eye, "Dear Lord! have pity on me! for I have to support all these fellows!"]

Jus Divinum.

All things are held by *jus divinum* [divine right], either immediately or mediately.

Nothing has lost the Pope so much in his supremacy as not acknowledging what princes gave him. 'Tis a scorn upon the civil power and an unthankfulness in the priest.

But the Church runs to *jus divinum,* lest, if they should acknowledge that what they have they have by positive law, it might be as well taken from them as given to them. [Consider this carefully. No Church in the United States receives anything from the state except freedom from taxation. And no Church here claims anything by divine right.]

KING.

A KING is a thing men have made for their own sakes, for quietness' sake. Just as in a family one man is appointed to buy the meat: if every man should buy, or if there were many buyers, they would never agree; one would buy what the other liked not or what the other had bought before, so there would be a confusion. But, that charge being committed to one, he according to his discretion pleases all; if they have not what they would have one day they shall have it the next, or something as good.

The word king directs our eyes. Suppose it had been consul, or dictator. To think all kings alike is the same folly as if a consul of Aleppo or Smyrna should claim to himself the same power that a consul at Rome had: What! am not I a consul? Or a duke of England should think himself like the duke of Florence. Besides, let the divines in their pulpits say what they will, they in their practice deny that all is the king's: they sue him,

and so does all the nation, whereof they are a part. What matter is it, then, what they preach or teach in the schools?

Kings are all individuals, this or that king; there is no species of kings.

A king that claims privileges in his own country, because they have them in another, is just as a cook that claims fees in one lord's house because they are allowed in another. If the master of the house will yield them, well and good. [So you see it is folly for the king of England to claim anything because the king of France has it. It is only from the people, his true masters, he can get anything rightly. I once heard of some Parliamentmen or Congressmen who, in a crowd, cried, "Make way; we are the representatives of the people!" Whereupon the people cried, "You make way! we are the people themselves!"]

The text, "Render unto Cæsar the things that are Cæsar's," makes as much against kings as for them; for it says plainly that some things are not Cæsar's. But divines make choice of it, first in flattery, and then because of the other part adjoined to it, "Render unto God the things that are God's," where they bring in the Church.

A king outed of his country, that takes as much upon him as he did at home in his own court, is as if a man were on high, and I, being upon the ground, were used to lift up my voice to him that he might hear me, at length should

come down, and then expects I should speak as loud to him as I did before.

King of England.

The king can do no wrong; that is, no process can be granted against him. What must be done then? Petition him, and the king writes upon the petition *soit droit fait,* and sends it to the chancery, and then the business is heard. His confessor will not tell him he can do no wrong.

There's a great deal of difference between head of the Church, and supreme governor, as our canons call the king. Conceive it thus: there is in the kingdom of England a college of physicians; the king is supreme governor of that; but not head of them, nor president of the college, nor the best physician.

After the dissolution of abbeys, they did not much advance the king's supremacy, for they only cared to exclude the Pope: hence have we had several translations of the Bible put upon us. But now we must look to it, otherwise the king may put upon us what religion he pleases.

The King.

'Tis hard to make an accommodation between the king and the Parliament. If you and I fell out about money, you said I owed you twenty pounds; I said I owed you but ten pounds; it may be a third party allowing me twenty marks might make us friends. But

if I said I owed you twenty pounds of silver, and you said I owed you twenty pounds of diamonds, which is a sum innumerable, 'tis impossible we should ever agree. This is the case. [That was the sum and substance of Senator Sumner's argument in the Alabama claims dispute with England. The war was prolonged so many years at a million dollars a day—hence so many million dollars' damages. Yet, thank God, the two nations agreed on a compromise.]

The king is equally abused now as before: then they flattered him and made him do ill things, now they would force him against his conscience. If a physician should tell me everything I had a mind to was good for me, though in truth 'twas poison, he abused me; and he abuses me as much that would force me to take something whether I will or no.

The king, so long as he is our king, may do with his officers what he pleases; as the master of the house may turn away all his servants and take whom he pleases.

The king's oath is not security enough for our property, for he swears to govern according to law; now the judges they interpret the law, and what judges can be made to do we know. [And this we know, too, in the United States. *Vide* Income Tax decision.]

The king and the Parliament, now falling out, are just as when there is foul play offered among gamesters: one snatches the other's

stake; they seize what they can of one another's. 'Tis not to be asked whether it belongs to the king to do this or that: before, when there was fair play, it did. But now they will do what is most convenient for their own safety. If two fall to scuffling, one tears the other's band, the other tears his; when they were friends they were quiet, and did no such thing; they let one another's bands alone.

The king calling his friends from the Parliament, because he had use of them at Oxford, is as if a man should have use of a little piece of wood and he runs down into the cellar, and takes the spigot [from the cask]; in the meantime all the beer runs about the house. When his friends are absent the king is lost.

LANGUAGE.

LATIMER is the corruption of Latiner; it signifies he that interprets Latin; and though he interpreted French, Spanish, or Italian, he was called the king's Latimer, that is, the king's interpreter.

If you look upon the language spoken in the Saxon time, and the language spoken now, you will find the difference to be, just as if a man had a cloak that he wore plain in Queen Elizabeth's day; and since, here he has put in a piece of red, and there a piece of blue, and here a piece of green, and there a piece of orange-tawny. We borrow words from the French, Italian, Latin, as every pedantic man pleases.

We have more words than notions; half a dozen words for the same thing. Sometimes we put a new signification to an old word, as when we call a piece a gun. The word gun was in use in England for an engine to cast a thing from a man long before there was any gunpowder found out. [Some one has sarcastically said that originally all languages were put in a pot and boiled, and the one that boiled over was English! That is, perhaps, how it comes to have the pith and force of all other languages combined. Macaulay describes the English Constitution as a great piece of patched cloth, whose patches were put in at various times, but which suits the wearer better than the newest garment that can be made. Is not the English language something similar?]

Words must be fitted to a man's mouth. 'Twas well said by the fellow that was to make a speech for my lord mayor, he desired to take measure of his lordship's mouth!

LAW.

A MAN may plead not guilty, and yet tell no lie; for by the law no man is bound to accuse himself; so that when I say, "Not guilty," the meaning is as if I should say, by way of paraphrase, "I am not so guilty as to tell you; if you will bring me to a trial, and have me punished for this you lay to my charge, prove it against me." [So the Irishman who, on being

asked if he were guilty, exclaimed, "How do I know until I hear the evidence?" was not such a fool after all—or rather, not such an ignoramus as he seemed. He may, of course, have uttered this as a witticism; but that is doubtful.]

Ignorance of the law excuses no man. Not that all men know the law, but because 'tis an excuse every man will plead, and no man can tell how to confute him. [Let the young reader reflect on this for a moment. I used to think it hard to punish a man for doing what he did not know to be wrong. But how are we to know, for sure, that such a man (the lawbreaker) did *not know* he was doing wrong? You see, this would be an excuse which every accused person might plead, "and no man can tell how to confute him." Only before the court of the Omniscient can such a plea avail. Hence the necessity of teaching common law in the public schools.]

The king of Spain was outlawed in Westminster Hall, I being of counsel against him. A merchant had recovered costs against him in a suit, which, because he could not get, we advised to have him outlawed for not appearing, and so he was. As soon as Gondomar heard that, he presently sent the money, by reason, if his master had been outlawed, he could not have the benefit of the law, which would have been very prejudicial, there being then

many suits depending betwixt the king of Spain and our English merchants.*

Every law is a contract between the king and the people, and therefore to be kept. A hundred men may owe me a hundred pounds, just as well as one man; and shall they not pay me because they are stronger than I? *Objection.* O, but they all lose if they keep that law. *Answer.* Let them look to the making of their bargain. If I sell my lands, and when I have done, one comes and tells me I have nothing else to keep me, I and my wife and children must starve if I part with my land, must I therefore not let them have my land that have bought it and paid for it?

LAW OF NATURE.

I CANNOT fancy to myself what the Law of Nature means, except it be the Law of God.† How should I know I ought not to steal, I ought not to commit adultery, unless somebody had told me so? Surely 'tis because I have been told so. 'Tis not because I think I ought not to do them, nor because you think I ought not; if so, our minds might change. Whence

* Sir John Leach, when Vice Chancellor in 1819, stated the law of the land to be that foreign monarchs or governments have no peculiar privilege in the courts of law, where they are only considered in the light of private individuals, and can sue and be sued as such.—S.

† The reader need scarcely be reminded that Selden has written a learned treatise—*De Jure Naturali et Gentium, juxta Disciplinam Ebræorum.*—S.

then comes the restraint? From a higher Power; nothing else can bind. I cannot bind myself, for I may untie myself again; nor an equal cannot bind me, for we may untie one another: it must be a superior Power, even God Almighty. If two of us make a bargain, why should either of us stand to it? What need you care what you say, or what need I care what I say? Certainly because there is something about me that tells me *Fides est servanda;* and if we after alter our minds, and make a new bargain, there's *Fides servanda* there too.

LEARNING.

No man is the wiser for his learning: it may administer matter to work in, or objects to work upon; but wit and wisdom are born with a man.

[This assertion is, to say the least, questionable. Talents, genius, intellect come by nature; these may be said to be "born with a man;" but wisdom comes by study, observation, and experience. Of course no man can be wise without common sense, which may be said to be "born with a man." But there are men with common sense who are not wise, and there are men with genius and uncommon talents who are not wise. For wisdom is a different thing, and by no means comes by nature alone. Experience, suffering, study make men wise. A man is born with capacity, but never with wisdom. He may, by his capac-

ity, become a wise man; but he may not. How often, on looking back, we exclaim, "What a fool I was at that time! How stupidly I acted on such and such an occasion!" which proves that a man *grows wise* by experience. Besides, study, thought, and learning form a part of this experience. Let any man of mature years think of what he was and of what he is, and he will, I think, be convinced that wisdom is acquired and not "born with a man." And it is the same with nations as with individuals. Have not France and England grown wise by their experience of the Bourbons, the Napoleons, and the Stuarts? Have not the Americans learned something of their own power as well as that of Spain by the late war?]

Most men's learning is nothing but history duly taken up. If I quote Thomas Aquinas for some tenet, and believe it because the schoolmen say so, that is but history. Few men make themselves masters of the things they write or speak of.

The Jesuits and the lawyers of France and the Low Countries have engrossed all learning. The rest of the world make nothing but homilies.

'Tis observable that in Athens, where the arts flourished, they were governed by a democracy: learning made the people think themselves as wise as anybody, and they would govern as well as others; and they spake as it

were by way of contempt, that in the East and in the North they had kings; and why? Because the most part of them followed their business; and if some one man had made himself wiser than the rest he governed them, and they willingly submitted themselves to him. Aristotle makes the observation. And as in Athens the philosophers made the people knowing, and therefore they thought themselves wise enough to govern, so does preaching with us, and that makes us affect a democracy: for upon these two grounds we all would be governors, either because we think ourselves as wise as the best or because we think ourselves the elect, and have the Spirit, and the rest a company of reprobates that belong to the devil.

LECTURERS.

LECTURERS do in a parish church what the friars did heretofore: get away not only the affections but the bounty that should be bestowed upon the minister.

Lecturers get a great deal of money because they preach the people tame, as a man watches a hawk;* and then they do what they list with them.

The lectures in Blackfriars, performed by

* Hawks were tamed by watching. Shakespeare has several allusions to it. Desdemona, in assuring Cassio how she will urge his suit to Othello, says:

"I'll watch him tame, and talk him out of patience."—S.

officers of the army, tradesmen, and ministers, is as if a great lord should make a feast, and he would have his cook dress one dish, and his coachman another, his porter a third, etc.

Libels.

Though some make slight of libels [lampoons], yet you may see by them how the wind sits: as, take a straw and throw it up into the air, you shall see by that which way the wind is, which you shall not do by casting up a stone. Solid things do not show the complexion of the times so well as ballads and libels.

Liturgy.

There is no Church without a liturgy, nor indeed can there be conveniently, as there is no school without a grammar. One scholar may be taught otherwise upon the stock of his acumen, but not a whole school. One or two that are piously disposed may serve themselves their own way, but hardly a whole nation.

To know what was generally believed in all ages, the way is to consult the liturgies, not any private man's writing. As, if you would know how the Church of England serves God, go to the Common-prayer book, consult not this nor that man. Besides, liturgies never compliment, nor use high expressions. The Fathers ofttimes speak oratoriously.

NEW PARLIAMENT LORDS.

GREAT lords, by reason of their flatterers, are the first that know their own virtues and the last that know their own vices. Some of them are ashamed upward, because their ancestors were too great. Others are ashamed downward, because they were too little.

The making of new lords lessens all the rest. 'Tis in the business of lords as 'twas with St. Nicholas's image: the countryman, you know, could not find in his heart to adore the new image, made of his own plum tree, though he had formerly worshiped the old one. The lords that are ancient we honor because we know not whence they come; but the new ones we slight, because we know their beginning.

For the Irish lords to take upon them [the same rank] here in England, is as if the cook in the fair should come to my Lady Kent's kitchen, and take upon him to roast the meat there because he is a cook in another place.

[The hit at the new lords would suit the most radical modern reformer. Capital now makes lords, like everything else: witness Lord Bass, the brewer of Bass's ale. The younger Pitt wanted to make a lord of every man with an income of £10,000 a year.]

MARRIAGE.

OF all actions of a man's life, his marriage does least concern other people, yet of all ac-

tions of our life 'tis most meddled with by other people.

Marriage is nothing but a civil contract. 'Tis true, 'tis an ordinance of God: so is every other contract; God commands me to keep it when I have made it.

Marriage is a desperate thing. The frogs in *Æsop* were extreme wise; they had a great mind to some water, but they would not leap into the well, because they could not get out again. [He himself never married—he would not be tied up!]

We single out particulars, and apply God's providence to them. Thus when two are married, and have undone one another, they cry it was God's providence we should come together, when God's providence does equally concur to everything [that happens].

Measure of Things.

We measure from ourselves; and as things are for our use and purpose so we approve them. Bring a pear to the table that is rotten; we cry it down, 'tis naught; but bring a medlar that is rotten, and 'tis a fine thing; and yet I'll warrant you the pear thinks as well of itself as the medlar does.

We measure the excellency of other men by some excellency we conceive to be in ourselves. Nash, a poet, poor enough (as poets use to be), seeing an alderman, with his gold chain, upon his great horse, by way of scorn

said to one of his companions, "Do you see yon fellow, how goodly, how big he looks? Why, that fellow cannot make a blank verse!"

Nay, we measure the goodness of God from ourselves; we measure his goodness, his justice, his wisdom, by something we call just, good, or wise in ourselves; and in so doing we judge proportionably to the country fellow in the play, who said, if he were a king he would live like a lord and have peas and bacon every day, and a whip that cried, Slash!

Difference of Men.

The difference of men is very great; you would scarce think them to be of the same species; and yet it consists more in the affection than in the intellect. For as in the strength of body two men shall be of an equal strength, yet one shall appear stronger than the other because he exercises, and puts out his strength, the other will not stir nor strain himself: so 'tis in the strength of the brain; the one endeavors, and strains, and labors, and studies, the other sits still, and is idle, and takes no pains, and therefore he appears so much the inferior. [This is the great, unanswerable argument against communism.]

Minister Divine.

The imposition of hands upon the minister, when all is done, will be nothing but a designation of a person to this or that office or em-

ployment in the Church. 'Tis a ridiculous phrase, that of the canonists, *conferre ordines.* 'Tis *cooptare aliquem in ordinem;* to make a man one of us; one of our number, one of our order. So Cicero would understand what I said, it being a phrase borrowed from the Latins, and to be understood proportionably to what was among them.

Those words you now use in making a minister, "Receive the Holy Ghost," were used by the Jews in the making of a lawyer; from thence we have them. So this is a villainous key to something, as if you would have some other kind of prefecture than a mayoralty, and yet keep the same ceremony that was used in making the mayor.

A priest has no such thing as an indelible character: what difference do you find betwixt him and another man after ordination? Only he is made a priest, as I said, by designation; as a lawyer is called to the bar, then made a sergeant. All men that would get power over others make themselves as unlike others as they can; upon the same ground the priests made themselves unlike the laity. [Excellent! O rare old expositor.]

A minister, when he is made, is *materia prima,* apt for any form the state will put upon him, but of himself he can do nothing. Like a doctor of law in the university, he hath a great deal of law in him but cannot use it till he be made somebody's chancellor; or like a

physician; before he be received into a house he can give nobody physic; indeed after the master of the house hath given him charge of his servants, then he may. Or like a suffragan, that could do nothing but give orders, and yet he was a bishop.

A minister should preach according to the articles of religion established in the Church where he is. To be a civil lawyer let a man read Justinian, and the body of the law, to confirm his brain to that way; but when he comes to practice he must make use of it so far as it concerns the law received in his own country. To be a physician let a man read Galen and Hippocrates; but when he practices he must apply his medicines according to the temper of those men's bodies with whom he lives, and have respect to the heat and cold of climes; otherwise that which in Pergamus, where Galen lived, was physic, in our cold climate may be poison. So, to be a divine let him read the whole body of divinity, the Fathers and the schoolmen, but when he comes to practice he must use it and apply it according to those grounds and articles of religion that are established in the Church, and this with sense.

Go and teach all nations. This was said to all Christians that then were, before the distinction of clergy and laity; there have been since men designed to preach only by the State, as some men are designed to study the law, others to study physic. When the Lord's Sup-

per was instituted there were none present but the disciples; shall none, then, but ministers receive?

There is all the reason you should believe your minister, unless you have studied divinity as well as he, or more than he.

'Tis a foolish thing to say ministers must not meddle with secular matters because his own profession will take up the whole man. May he not eat, or drink, or walk, or learn to sing? The meaning of that is, he must seriously attend his calling.

Ministers with the Papists, that is their priests, have much respect; with the Puritans they have much, and that upon the same ground: they pretend both of them to come immediately from Christ; but with the Protestants they have very little; the reason whereof is, in the beginning of the Reformation they were glad to get such [persons] to take livings as they could procure by any invitations, things of pitiful condition. The nobility and gentry would not suffer their sons or kindred to meddle with the Church; and therefore at this day, when they see a parson, they think him to be such a thing still, and there they will keep him, and use him accordingly; if he be a gentleman, he is singled out, and is used the more respectfully.

['Tis pretty much for the same reason that schoolmasters have to this day little or no respect in England; for originally schoolmasters

were very poor creatures ("things of pitiful condition"), unfit for any employment requiring skill or training. We all know how keenly Swift felt the humiliation of his position at Moor Park, when he was a sort of private secretary to Sir William Temple and tutor to his daughter, "with a salary of twenty pounds a year, a dinner at the upper servants' table, and a cassock that was only not a livery." Hence the impertinent but significant question addressed to Oliver Goldsmith by one of the boys at the school where the latter was usher, "Do *you* consider yourself a gentleman?" The schoolmaster is now, however, beginning to be regarded with a different eye; people are coming to see that the *future of the State* depends largely upon his character and efficiency, and I trust the time is not far distant when he will be as much esteemed and as well rewarded for his services as any other professional man.]

That the Protestant minister is least regarded, appears by the old story of the keeper of the Clink.* He had priests of several sorts sent unto him; as they came in, he asked them

* *The Clink.* "Now amongst the fruitful generation of jails in London, there were thought never a better, some less bad amongst them. I take the Marshalsea to be in those times the best for usage of prisoners. But O! the misery of God's poor saints in Newgate, under Alexander the Jailer (more cruel than his namesake was to St. Paul) in Lollards' Tower, the *Clink*, and Bonner's Coal House."—*Fuller.*

The Clink was an appendage to the Bishop of Winchester's palace in Southwark.—S.

who they were. Who are you? to the first. I am a priest of the Church of Rome. You are welcome, quoth the keeper; there are those that will take care of you. And who are you? A silenced minister. You are welcome too; I shall fare the better for you. And who are you? A minister of the Church of England. O, God help me, quoth the keeper, I shall get nothing by you; I am sure you may lie, and starve, and rot before anybody will look after you.

Methinks 'tis an ignorant thing for a Churchman to call himself the minister of Christ because St. Paul or the apostles called themselves so. If one of them had a voice from heaven, as St. Paul had, I will grant he is a minister of Christ; I will call him so too. Must they take upon them as the apostles did? Can they do as the apostles could? The apostles had a mark to be known by; spake tongues, cured diseases, trod upon serpents, etc. Can they do this? If a gentleman tells me he will send his man to me, and I did not know his man, but he gave me this mark to know him by: he should bring in his hand a rich jewel; if a fellow came to me with a pebble-stone, had I any reason to believe he was the gentleman's man?

Money.

Money makes a man laugh. A blind fiddler playing to a company, and playing but scurvily, the company laughed at him; his boy that led him, perceiving this, cried, "Father, let us be

gone, for they do nothing but laugh at you." "Hold thy peace, boy," said the fiddler; "we shall have their money presently, and then we will laugh at them."

Euclid was beaten, in Boccaline,* for teaching his scholars a mathematical figure in his school whereby he showed that all the lives both of princes and private men tended to one center, *con gentilezza,* handsomely, to get money out of other men's pockets and put it into their own.

The Pope used heretofore to send the princes of Christendom to fight against the Turk; but prince and Pope finely juggled together; the moneys were raised, and some men went out to the Holy War; but commonly after they had got the money the Turk was pretty quiet, and the prince and the Pope shared it between them.

In all times the princes in England have done something illegal to get money, but then came a Parliament and all was well; the people and the prince kissed and were friends, and so things were quiet for a while. Afterward there was another trick found out to get money,

* *Boccaline.* That is, in a story of Boccalini. He was a famous satirist of the sixteenth century, and in the *Ragguagli di Parnasso* feigns this story of Euclid. The common tradition is that Boccalini himself was killed by the very means he supposed employed against Euclid, being beaten to death by four men armed with bags of sand. It is more probable that rumor picked up his own fiction ignorantly and applied it to himself. —V. *Biogr. Universelle. Ragguagli di Parnasso.*—S.

and after they had got it, another Parliament was called to set all right, etc.; but now they have outrun the constable. [How well Selden understood the machinations of these political jugglers! They seem to be no better in our own day. Is it true, as Selden says elsewhere, that "the world cannot be governed without juggling?" Surely these jugglers must not, like the poor, be always with us. The hard-worked mechanic, even the laborer and the "peasant with bent back," are beginning to understand these things now, and they will, in time, I imagine, make themselves felt. The worst of it is, that when one of these now gets on "the top step" he is likely to be as bad as the rest.]

Moral Honesty.

They that cry down moral honesty cry down that which is a great part of religion: my duty toward God and my duty toward man. What care I to see a man run after a sermon if he cozens and cheats as soon as he comes home? On the other side, morality must not be without religion; for, if so, it may change as I see convenience. Religion must govern it. He that has not religion to govern his morality is not a dram better than my mastiff dog: so long as you stroke him and please him, and do not pinch him, he will play with you as finely as may be; he is a very good moral mastiff; but if you hurt him he will fly in your face and tear out your throat. [Unfortunately, we have

to-day too many who have much religion but little morality. But, on the other hand, would not the moral atheists, who have no religion, act like the "mastiff dog" when they are hurt?]

Mortgage.

In case I receive a thousand pounds, and mortgage as much land as is worth two thousand to you, if I do not pay the money at such a day I fail. Whether you may take my land and keep it, in point of conscience? *Answer.* If you had my lands as security only for your money, then you are not to keep it; but if we bargained so that if I did not repay your one thousand pounds my land should go for it, be it what it will, no doubt you may with a safe conscience keep it; for in these things all the obligation is *servare fidem.*

Number.

Number in itself is nothing, has nothing to do with nature, but is merely of human imposition, a mere sound. So when they say the seventh son is fortunate it means nothing; for if you count from the seventh backward then the first is the seventh: why is not he likewise fortunate? [There is the logic of a lawyer for you. It would be hard to deceive *him* with such superstitious nonsense. The same logic may, of course, be applied to the number 13, etc.]

Oaths.

Swearing was another thing with the Jews than with us, because they might not pronounce the name of the Lord Jehovah.

There is no oath scarcely but we swear to things we are ignorant of: for example, the oath of supremacy; how many know how the king is king? what are his right and prerogative? So how many know what are the privileges of the Parliament and the liberty of the subject when they take the protestation? But the meaning is, they will defend them when they know them. As, if I should swear I would take part with all that wear red ribbons in their hats, it may be I do not know which color is red; but when I do know, and see a red ribbon in a man's hat, then will I take his part.

I cannot conceive how an oath is imposed where there is a parity, as in the House of Commons; they are all *pares inter se;* only one brings a paper and shows it the rest; they look upon it, and in their own sense take it. Now they are but *pares* to me, who am one of the House, for I do not acknowledge myself their subject; if I did, then no question I was bound by an oath of their imposing. 'Tis to me but reading a paper in my own sense.

There is a great difference between an assertory oath and a promissory oath. An assertory oath is made to a man before God, and I must swear so as man may know what I mean: but a promissory oath is made to God

only, and I am sure he knows my meaning. So in the new oath it runs, "whereas I believe in my conscience," etc. "I will assist thus and thus:" that *whereas* gives me an outloose; for if I do not believe so, for aught I know I swear not at all.

In a promissory oath, the mind I am in is a good interpretation; for if there be enough happened to change my mind I do not know why I should not. If I promise to go to Oxford to-morrow, and mean it when I say it, and afterward it appears to me that 'twill be my undoing; will you say I have broke my promise if I stay at home? Certainly I must not go.

The Jews had this way with them, concerning a promissory oath or vow; if one of them had vowed a vow, which afterwards appeared to him to be very prejudicial by reason of something he either did not foresee, or did not think of, when he made his vow; if he made it known to three of his countrymen, they had power to absolve him, though he could not absolve himself; and that they picked out of some words in the text.* Perjury hath only to do with an assertory oath; and no man was

* Butler, who must have known Selden, as he was some time in the service of Lady Kent, thus refers to this practice:

> The rabbins write, when any Jew
> Did make to God or man a vow,
> Which afterwards he found untoward,
> And stubborn to be kept, or too hard;
> Any three other Jews o' th' nation
> Might free him from his obligation.—S.

punished for perjury by man's law till Queen Elizabeth's time; 'twas left to God, as a sin against him: the reason was, because 'twas so hard a thing to prove a man perjured; I might misunderstand him, and he swears as he thought.

When men ask me whether they may take an oath in their own sense, 'tis to me as if they should ask whether they may go to such a place upon their own legs; I would fain know how they can go otherwise.

Now oaths are so frequent they should be taken like pills: swallowed whole; if you chew them you will find them bitter; if you think what you swear, 'twill hardly go down. [Is not this why Englishmen hate to take the naturalization oath?]

ORACLES.

ORACLES ceased presently after Christ, as soon as nobody believed them.* Just as we have

* Milton, in his "Hymn on the Nativity," of course poetically follows the notion that the oracles ceased at the coming of Christ:

> The oracles are dumb,
> No voice or hideous hum
> Runs through th' arched roof in words deceiving.
> Apollo from his shrine
> Can no more divine,
> With hollow shriek the steep of Delphos leaving.

And about that time their credit apparently was shaken, but there were other causes, as Van Dale and Fontanelle have shown, which eventually silenced them at a later period. It takes a long time to eradicate any superstitious belief among

no fortune tellers, nor wise men, when nobody cares for them. Some time you have a season for them, when people believe them, and neither of these, I conceive, wrought by the devil.

OPINION.

OPINION and affection extremely differ. I may affect a woman best, but it does not follow I must think her the handsomest woman in the world. I love apples best of any fruit, but it does not follow I must think apples to be the best fruit. Opinion is something wherein I go about to give reason why all the world should think as I think. Affection is a thing wherein I look after the pleasing of myself.*

'Twas a good fancy of an old Platonic: The gods, which are above men, had something whereof man did partake, an intellect, knowledge, and the gods kept on their course quietly. The beasts, which are below man, had something whereof man did partake, sense and growth, and the beasts lived quietly in their way. But man had something in him whereof

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the people; and the learned, even within the last century, have shown themselves sufficiently credulous of vaticinations and supposed supernatural events.—S.

* Good! This is the true difference betwixt the beautiful and the agreeable, which Knight and the rest of that πλῆθος ἄθεον have so beneficially confounded, *meretricibus scilicet et Plutoni*. O what an insight this whole article gives into a wise man's heart who has been compelled to act with the many, as one of the many! It explains Sir Thomas More's zealous Romanism. —*Coleridge*.

neither gods nor beasts did partake, which gave him all the trouble and made all the confusion in the world: and that is opinion.

'Tis a foolish thing for me to be brought off from an opinion in a thing neither of us know, but are led only by some cobweb stuff; as in such a case as this: *Utrum angeli in vicem colloquantur?* If I forsake my side in such a case I show myself wonderful light, or infinitely complying, or flattering the other party: but if I be in a business of nature, and hold an opinion one way, and some man's experience has found out the contrary, I may with a safe reputation give up my side. [*Utrum angeli in vicem colloquantur?* That is, Do the angels engage in conversation? These were the questions which engaged the attention of the schoolmen, whose system of philosophy Lord Bacon destroyed. The latter showed that we should discuss only such things as may be found out, or prove useful to mankind; while the schoolmen occupied themselves with such questions as above, which Selden rightly calls "cobweb stuff." The schoolmen argued for mere argument's sake, to prove their dexterity or develop skill in reasoning. Among other things, they inquired, Does God know more things than he is aware of? and, How many angels can stand on the point of a needle?—Notice that Selden wisely says that no man should hold an *opinion* contrary to the *experience* of another.]

'Tis a vain thing to talk of a heretic, for a man for his heart can think no otherwise than he does think.* In the primitive times there were many opinions; nothing, scarce, but some or other held. One of these opinions being embraced by some prince, and received into his kingdom, the rest were condemned as heresies; and his religion, which was but one of the several opinions first, is said to be orthodox, and so have continued ever since the apostles. [How true this is! and how much more liberal he was than most Churchmen of our day!]

PARLIAMENT.

ALL are involved in a Parliament. There was a time when all men had their voice in choosing knights. About Henry the Sixth's time they found the inconvenience; so one Parliament made a law that only he that had forty shillings per annum should give his voice; they under should be excluded. They made the law who had the voice of all, as well under forty shillings as above; and thus it continues at this day. All consent civilly in a Parliament; women are involved in the men, children in

* Bishop Taylor, in his *Liberty of Prophesying*, Sect. 2. § 8, says, "It is inconsistent with the goodness of God to condemn those who err where the error hath nothing of the will in it, who therefore cannot repent of their error, because they believe it true. . . . For all have a concomitant assent to the truth of what they believe; and *no man can at the same time believe what he does not believe*."—S.

those of perfect age; those that are under forty shillings a year in those that have forty shillings a year; those of forty shillings in the knights.

All things are brought to the Parliament, little to the courts of justice: just as in a room where there is a banquet presented, if there be persons of quality there, the people must wait and stay till the great ones have done.

The Parliament flying upon several men, and then letting them alone, does as a hawk that flies a covey of partridges, and when she has flown them a great way grows weary and takes a tree; then the falconer lures her down, and takes her to his fist: on they go again, *hei rett!* up springs another covey, away goes the hawk, and, as she did before, takes another tree, etc.

Dissenters in Parliament may at length come to a good end, though first there be a great deal of do and a great deal of noise which mad wild folks make: just as in brewing of wrest-beer, there's a great deal of business in grinding the malt, and that spoils any man's clothes that comes near it: then it must be mashed; then comes a fellow in and drinks of the wort, and he's drunk; then they make a great noise when they carry it into the cellar, and a twelvemonth after 'tis delicate fine beer.

It must necessarily be that our distempers are worse than they were in the beginning of

the Parliament. If a physician comes to a sick man he lets him blood, it may be scarifies him, cups him, puts him into a great disorder, before he makes him well; and if he be sent for to cure an ague, and he finds his patient hath many diseases, a dropsy, and a palsy, he applies remedies to them all, which makes the cure the longer and the dearer. This is the case.

The Parliamentmen are as great princes as any in the world, when whatsoever they please is privilege of Parliament; no man must know the number of their privileges, and whatsoever they dislike is breach of privilege. The duke of Venice is no more than Speaker of the House of Commons; but the Senate at Venice are not so much as our Parliamentmen, nor have they that power over the people, who yet exercise the greatest tyranny that is anywhere. In plain truth, breach of privilege is only the actual taking away of a member of the House, the rest are offenses against the House: for example, to take out process against a Parliamentmen, or the like.

The Parliament party, if the law be for them, they call for the law; if it be against them, they will go to a Parliamentary way; if no law be for them, then for law again: like him that first called for sack to heat him, then small drink to cool his sack, then sack again to heat his small drink, etc.

The Parliament party do not play fair in sitting up till two of the clock in the morn-

ing to vote something they have a mind to.* 'Tis like a crafty gamester, that makes the company drunk, then cheats them of their money. Young men and infirm men go away. Besides, a man is not there to persuade other men to be of his mind, but to speak his own heart, and if it be liked, so; if not, there's an end. [From this it is plain that the tactics of our later legislators are not new.]

PARSON.

THOUGH we write parson differently, yet 'tis but person; that is, the individual person set apart for the service of such a church; and 'tis in Latin *persona*, and *personatus* is a personage. Indeed, with the canon lawyers, *personatus* is any dignity or preferment in the Church.

There never was a merry world since the fairies left dancing and the parson left conjuring. The opinion of the latter kept thieves in awe, and did as much good in a country as a justice of peace.

PATIENCE.

PATIENCE is the chiefest fruit of study. A man that strives to make himself a different thing from other men by much reading gains this chiefest good: that in all fortunes he hath something to entertain and comfort himself

* The famous remonstrance was carried after sitting from 3 A. M. to 3 P. M. which made some one say it was "the verdict of a starved jury."—S.

withal. [Hath he not also something to make himself wiser withal?]

PEACE.

KING JAMES was pictured going easily down a pair of stairs, and upon every step there was written, "Peace, Peace, Peace." The wisest way for men in these times is to say nothing.

When a country wench cannot get her butter to come she says the witch is in her churn. We have been churning for peace a great while, and 'twill not come; sure the witch is in it.

Though we had peace, yet 'twill be a great while e'er things be settled. Though the wind lie, yet after a storm the sea will work a great while. [How well this was illustrated by our Civil War! That sea still works; and yet strangely enough, another war, the Spanish, has helped to settle these civil-war waves better than anything else could.]

PENANCE.

PENANCE is only the punishment inflicted, not penitence, which is the right word: a man comes not to do penance because he repents him of his sin, but because he is compelled to it; he curses him and could kill him that sends him thither. The old canons wisely enjoined three years' penance, sometimes more, because in that time a man got a *habit* of virtue, and so committed that sin no more for which he did penance.

People.

There is not anything in the world more abused than this sentence, *Salus populi suprema lex esto;* for we apply it as if we ought to forsake the known law when it may be most for the advantage of the people, when it means no such thing. For, first, 'tis not *Salus populi suprema lex est,* but *esto;* it being one of the Laws of the Twelve Tables,* and after divers laws made, some for punishment, some for reward, then follows this, *Salus populi suprema lex esto;* that is, in all the laws you make, have a special eye to the good of the people; and then what does this concern the way they now go?

Objection. He that makes one is greater than he that is made; the people make the king, *ergo,* the people are greater than the king.

Answer. This does not hold; for if I have one thousand pounds per annum, and give it you, and leave myself ne'er a penny, I made you; but when you have my land you are greater than I. The parish makes the constable, and when the constable is made he governs the

* It is probably a lapse of memory in Selden, or incorrectly related; for this is not one of the Laws of the Twelve Tables, but among those which Cicero has set down for the government of his imaginary republic. (See *De Legibus*, lib. iii, § 8.) It seems to have forcibly impressed itself on Ammianus Marcellinus, who repeats it in substance more than once; his words are "finis enim justi imperii, *ut sapientes docent*, utilitas obedientium æstimatur et salus." (*Amm. Marcel.* xxx, 8, and xxix, 3.) —S.

parish. The answer to all these doubts is, Have you agreed so? If you have, then it must remain till you have altered it.

PLEASURE.

PLEASURE is nothing else but the intermission of pain; the enjoying of something I am in great trouble for till I have it.

'Tis a wrong way to proportion other men's pleasures to ourselves; 'tis like a child's using a little bird, "O poor bird, thou shalt sleep with me;" so lays it in his bosom, and stifles it with his hot breath: the bird had rather be in the cold air. And yet, too, 'tis the most pleasing flattery to like what other men like.

'Tis most undoubtedly true that all men are equally given to their pleasure; only thus, one man's pleasure lies one way and another's another. Pleasures are all alike, simply considered in themselves: he that hunts, or he that governs the Commonwealth, they both please themselves alike, only we commend that whereby we ourselves receive some benefit; as if a man place his delight in things that tend to the common good. He that takes pleasure to hear sermons enjoys himself as much as he that hears plays; and could he that loves plays endeavor to love sermons, possibly he might bring himself to it as well as to any other pleasure. At first it may seem harsh and tedious, but afterward 'twould be pleasing and delightful. So it falls out in that which is the great pleas-

ure of some men, tobacco; at first they could not abide it, and now they cannot be without it.

While you are upon earth enjoy the good things that are here (to that end were they given), and be not melancholy, and wish yourself in heaven. If a king should give you the keeping of a castle with all things belonging to it, orchards, gardens, etc., and bid you use them; withal promise you that, after twenty years, to remove you to the court and to make you a privy counselor; if you should neglect your castle, and refuse to eat of those fruits, and sit down, and whine, and wish you were a privy counselor, do you think the king would be pleased with you?

Pleasures of meat, drink, clothes, etc., are forbidden [only to] those that know not how to use them; just as nurses cry *pah!* when they see a knife in a child's hand. They will never say anything to a man. [It is pleasant to see that Selden, though he lived in troublous times, and had lain for years in prison, took a cheerful view of life, and had a hopeful way of looking at things. He was no pessimist, but had the happy faculty of looking on the "bright side," and made the most of life.]

Philosophy.

When men comfort themselves with philosophy, 'tis not because they have got two or three sentences, but because they have digested those sentences and made them their own: so

in reality philosophy is nothing but discretion.

POETRY.

OVID was not only a fine poet, but, as a man may speak, a great canon lawyer, as appears in his *Fasti,* where we have more of the festivals of the old Romans than anywhere else; 'tis pity the rest are lost.

There is no reason plays should be in verse, either in blank or rhyme; only the poet has to say for himself that he makes something like that which somebody made before him. The old poets had no other reason but this, their verse was sung to music; otherwise it had been a senseless thing to have fettered up themselves.*

I never converted but two. The one was Mr. Crashaw, [whom I converted] from writing against plays by telling him a way how to understand that custom of putting on women's apparel, which has nothing to do with the business, as neither has it that the Fathers speak against plays; for in their time it was with reason enough; for they had real idolatries mixed with their plays, having three altars perpetually upon the stage. The other was a doctor of

* No one man can know all things; even Selden here talks ignorantly. Verse is in itself a music, and the natural symbol of that union of passion with thought and pleasure which constitutes the essence of all poetry, as contradistinguished from history civil or natural. To Pope's *Essay on Man*—in short, to whatever is metrical good sense and wit—the remark applies.—*Coleridge.*

divinity, [whom I turned] from preaching against painting; which simply in itself is no more hurtful than putting on my clothes, or doing anything to make myself like other folks, that I may not be odious nor offensive to the company. Indeed if I do it with an ill intention, it alters the case; so, if I put on my gloves with an intention to do a mischief, I am a villain.

[This is pleasant reading; for, in the first place, it shows that Selden was not an enemy of the acting drama, in which consisted perhaps the greatest literary work of his age; and, in the second, that he defended it notwithstanding many unfitting things connected therewith, especially the practice of making boys play the parts of women. This is one of those surprising things to all readers of Shakespeare, that he should have been able to create such perfectly womenly women to be played by boys. But Shakespeare was wonderful in all things. The reference to the plays in the times of the Fathers points obviously to the Miracle Plays, which were indeed mixed with "real idolatries," and by no means of an edifying character. These were usually performed in the churches, wherein were the "three altars" or three stages: the lower representing hell; the middle, the earth; and the upper, heaven. In these plays the chief personages of sacred history were presented, including the Devil, who furnished the comic element in

them, and from whom our circus clown of to-day is a lineal descendant. . . . The *painting* referred to by Selden is obviously the custom of painting the face, which was in his time, as it is in ours, not uncommon among other persons beside those on the stage. It is singular that he should have defended it, and it would be interesting to know who the "doctor of divinity" was whom he turned from preaching against it. The "Mr. Crashaw" is evidently the poet Richard Crashaw (1613-1650), styled "the divine," whose devotional strains exhibit imagination of a high order, and whose cast of thought, wealth of expression, and richness of fancy, resemble those of George Herbert. Crashaw is the author of the famous line (sometimes attributed to Milton and to Dryden) touching the miracle of the water being turned into wine:

"The conscious water saw its Lord and blushed."

He studied at Oxford, entered the Church in 1641, and became an earnest and eloquent preacher; but in 1644 he was ejected from his fellowship by the Parliament for refusing to take the Covenant. Then he went to France, where he became a Roman Catholic. When Cowley came to Paris he found him there in great destitution, and, through the influence of Queen Henrietta Maria, procured him the position of secretary at Rome to Cardinal Palotta. The fate of this gifted man was a

very sad one. "He remained until 1649," says Mr. Gosse, in the Encyc. Brit., "in the service of the Cardinal, to whom he had a great personal attachment; but his retinue contained persons whose violent and licentious behavior was a source of ceaseless vexation to the sensitive English mystic. At last his denunciation of their excesses became so public that the animosity of those persons was excited against him, and in order to shield him from their revenge he was sent by the Cardinal in 1650 to Loretto, where he was made a canon of the Holy House. In less than three weeks, however, he sickened of fever, and died, not without grave suspicion of having been poisoned." Is it any wonder that such a pure, gentle spirit should find something contrary to the fitness of things in boys "putting on women's apparel?" It needed all the logic of Selden to convince him that, as far as the merit of the plays themselves was concerned, this "had nothing to do with the business."]

'Tis a fine thing for children to learn to make verse; but when they come to be men they must speak like other men, or else they will be laughed at. 'Tis ridiculous to speak, or write, or preach in verse. As 'tis good to learn to dance; a man may learn his leg [to bow], learn to go handsomely, but 'tis ridiculous for him to dance when he should walk.

'Tis ridiculous for a lord to print verses. 'Tis well enough to make them to please himself,

but to make them public is foolish. If a man in a private chamber twirls his band-strings or plays with a rush, to please himself, 'tis well enough; but if he should go into Fleet Street, and sit upon a stall and twirl a band-string, or play with a rush, then all the boys in the street would laugh at him. [What would Selden say if he were told that we now make a man a lord (Tennyson) *because* of the verses he has printed! The reader may remember that Lord Chesterfield tells his son that "a *gentleman* must not play or sing before other people"—indeed he thought it vulgar even to *laugh* aloud. But, like Molière's doctor touching the position of the heart, we have long since "changed all that." Even in England a gentleman—though hardly a nobleman, who may be no gentleman—may now, without humiliation, play or sing before other people. Yet it is said all England was horrified when the Queen, in her own castle, accompanied the playing of a great pianist with her voice. It was not "in good form"—a blunder worse than a crime! And I suppose it looked too much like Nero fiddling while Rome was burning.]

Verse proves nothing but the quantity of syllables; they are not meant for logic.*

* True; they, that is, verses, are not logic; but they are, or ought to be, the envoys and representatives of that vital passion which is the practical cement of logic; and without which logic must remain inert.—*Coleridge.*

Pope.

A Pope's bull and a Pope's brief differ very much; as with us the great seal and the privy seal. The bull being the highest authority the Pope can give, the brief is of less. The bull has a leaden seal upon silk, hanging upon the instrument; the brief has *sub annulo piscatoris* upon the side.

He was a wise Pope that, when one that used to be merry with him, before he was advanced to the popedom, refrained afterward to come at him (presuming he was busy in governing the Christian world); the Pope sends for him, bids him come again, "and," says he, "we will be merry as we were before; for thou little thinkest what a little foolery governs the whole world."

The Pope, in sending relics to princes, does as wenches do by their wassails at New Year's tide; they present you with a cup, and you must drink of a slabby stuff; but the meaning is you must give them moneys, ten times more than it is worth.

The Pope is infallible where he hath power to command; that is, where he must be obeyed: so is every supreme power and prince. They that stretch his infallibility further do they know not what.

When a Protestant and a Papist dispute they talk like two madmen, because they do not agree upon their principles. The one way is to destroy the Pope's power; for if he hath

power to command me, 'tis not my alleging reasons to the contrary can keep me from obeying: for example, if a constable command me to wear a green suit to-morrow, and has power to make me, 'tis not my alleging a hundred reasons of the folly of it can excuse me from doing it.

There was a time when the Pope had power here in England, and there was excellent use made of it; for 'twas only to serve turns, as might be manifested out of the records of the kingdom, which divines know little of. If the king did not like what the Pope would have, he would forbid the Pope's legate to land upon his ground. So that the power was truly then in the king, though suffered in the Pope. But now that the temporal and the spiritual power (spiritual so called, because ordained to a spiritual end) spring both from one fountain, they are like to twist that.

The Protestants in France bear office in the state because, though their religion be different, they acknowledge no other king but the king of France. The Papists in England they must have a king of their own, a Pope that must do something in our kingdom; therefore there is no reason they should enjoy the same privileges.

Amsterdam admits of all religions but Papists, and 'tis upon the same account. The Papists, where'er they live, have another king at Rome. All other religions are subject to the

present state, and have no prince elsewhere. [I suppose this was the chief reason why the Catholics were so long kept out of official positions in England.]

The Papists call our religion a Parliamentary religion; but there was once, I am sure, a Parliamentary Pope. Pope Urban was made Pope in England by act of Parliament against Pope Clement. The act is not in the Book of Statutes, either because he that compiled the book would not have the name of the Pope there, or else he would not let it appear that they meddled with any such thing; but 'tis upon the Rolls.

When our clergy preach against the Pope and the Church of Rome they preach against themselves, and crying down their pride, their power and their riches, have made themselves poor and contemptible enough; they did it at first to please their prince, not considering what would follow. Just as if a man were to go a journey, and seeing, at his first setting out, the way clean and fair, ventures forth in his slippers, not considering the dirt and the sloughs a little further off, or how suddenly the weather may change.

Popery.

The demanding a noble for a dead body passing through a town came from hence in time of Popery: they carried the dead body into the church, where the priest said dirges,

and twenty dirges at four pence apiece comes to a noble; but now it is forbidden by an order from my lord marshal; the heralds carry his warrant about them.

We charge the prelatical clergy with Popery to make them odious, though we know they are guilty of no such thing: just as heretofore they called images mammets, and the adoration of images mammetry, that is, Mahomet and Mahometry; odious names, when all the world knows the Turks are forbidden images by their religion.

Power, State.

There is no stretching of power. 'Tis a good rule, eat within your stomach; act within your commission.

They that govern most make least noise. You see when they row in a barge, they that do drudgery work slash, and puff, and sweat; but he that governs sits quietly at the stern and scarce is seen to stir.

Syllables govern the world.

All power is of God means no more than *fides est servanda*. When St. Paul said this the people had made Nero emperor. They agree, he to command, they to obey. Then God's ordinance comes in, and casts a hook upon them, Keep your faith: then comes in, All power is of God. Never king dropped out of the clouds. God did not make a new emperor, as the king makes a justice of peace.

Christ himself was a great observer of the

civil power, and did many things only justifiable because the state required it, which were things merely temporary, for the time that state stood. But divines make use of them to gain power to themselves; as, for example, that of *dic Ecclesiae,* tell the Church; there was then a sanhedrim, a court to tell it to, and therefore they would have it so now.

In a troubled state we must do as in foul weather upon the Thames: not think to cut directly through, for so the boat may be quickly full of water; but rise and fall as the waves do; give as much as conveniently we can. [I suppose that is what he did himself: and I think he did wisely.]

PRAYER.

IF I were a minister, I should think myself most in my office reading of prayers, and dispensing the sacraments; and 'tis ill done to put one to officiate in the Church whose person is contemptible out of it. Should a great lady, that was invited to be a gossip, send in her place her kitchen maid, 'twould be ill taken; yet she is a woman as well as she: let her send her woman at least.

You shall pray [that is, you shall pray thus, or so and so] is the right way, because, according as the Church is settled, no man may make a prayer in public of his own head.

'Tis not the original Common-prayer book. Why, show me an original Bible, or an original *Magna Charta.*

Admit the preacher prays by the Spirit, yet that very prayer is Common-prayer to the people; they are tied as much to his words as in saying, *Almighty and most merciful Father.* Is it then unlawful in the minister, but not unlawful in the people?

There were some mathematicians that could with one fetch of their pen make an exact circle, and with the next touch point out the center; is it therefore reasonable to banish all use of the compasses? Set forms are a pair of compasses.

God hath given gifts unto men. General texts prove nothing: let him show me John, William, or Thomas in the text and then I will believe him. If a man hath a voluble tongue, we say he hath the gift of prayer. His gift is to pray long; that I see; but does he pray better?

We take care what we speak to men, but to God we may say anything [that is, some people think they may say anything].

The people must not think a thought toward God but as their pastors will put it into their mouths; they will make right sheep of us.

The English priests would do that in English which the Romish do in Latin, keep the people in ignorance; but some of the people outdo them at their own game.

Prayer should be short, without giving God Almighty reasons why he should grant this, or that; he knows best what is good for us. If

your boy should ask you a suit of clothes, and give you reasons, "otherwise he cannot wait upon you, he cannot go abroad but he will discredit you," would you endure it? You know it better than he; let him ask a suit of clothes.

If a servant that has been fed with good beef goes into that part of England where salmon is plenty, at first he is pleased with his salmon, and despises his beef; but after he has been there a while he grows weary of his salmon, and wishes for his good beef again. We have a while been much taken with this praying by the Spirit; but in time we may grow weary of it, and wish for our Common-prayer.

'Tis hoped we may be cured of our extemporary prayers the same way the grocer's boy is cured of his eating plums: when we have had our belly full of them. [So you see Selden was no Puritan, though he often sided with the Puritans. I have always thought the effect of the Common-prayer or Episcopal Liturgy depended upon him who read it. In the mouth of some clergymen it is absolutely touching, refreshing, and edifying; in that of others, the reverse.]

Preaching.

Nothing is more mistaken than that speech, "Preach the Gospel;" for 'tis not to make long harangues, as they do nowadays, but to tell the news of Christ's coming into the world; and when that is done, or where 'tis known already, the preacher's work is done.

Preaching, in the first sense of the word, ceased as soon as ever the Gospel was written.

When the preacher says, This is the meaning of the Holy Ghost in such a place, in sense he can mean no more than this: that is, I by studying of the place, by comparing one place with another, by weighing what goes before and what comes after, think this is the meaning of the Holy Ghost; and for shortness of expression I say the Holy Ghost says thus, or this is the meaning of the Spirit of God. So the judge speaks of the king's proclamation, This is the intention of the king; not that the king had declared his intention any other way to the judge, but the judge, examining the contents of the proclamation, gathers by the purport of the words the king's intention; and then for shortness of expression says, this is the king's intention.

Nothing is text but what was spoken in the Bible, and meant there for person and place; the rest is application, which a discreet man may do well, but 'tis his Scripture, not the Holy Ghost's.

Preaching by the Spirit (as they call it) is most esteemed by the common people because they cannot abide art or learning, which they have not been bred up in. Just as, in the business of fencing, if one country fellow among the rest has been at the school the rest will undervalue his skill, or tell him he wants valor: "You come with your school-tricks;

there's Dick Butcher has ten times more mettle than you:" so they say to the preachers, "You come with your school-learning; there's such a one has the Spirit."

The tone in preaching does much in working upon the people's affections. If a man should make love in an ordinary tone, his mistress would not regard him; and therefore he must whine. If a man should cry Fire! or Murder! in an ordinary voice, nobody would come out to help him.

Preachers will bring anything into the text. The young Masters of Arts preached against Non-Residency in the University; whereupon the heads made an order that no man should meddle with anything but what was in the text. The next day one preached upon these words: "Abraham begat Isaac." When he had gone a good way, at last he observed that Abraham was resident; for if he had been Non-Resident he could never have begot Isaac; and so fell foul upon the Non-Residents.*

I could never tell what often-preaching meant, after a Church is settled and we know what is to be done. 'Tis just as if a husbandman should once tell his servants what they are to do, when to sow, when to reap, and after-

* In 1631 they began to preach against Laud's innovation at Oxford. Yea, their very texts gave offense: one preaching on Num. xiv, 6, "Let us make a captain and return into Egypt;" another on Kings xiii, 2, "And he cried against the altar in the word of the Lord, and said, O altar, altar."—S.

ward one should come and tell them twice or thrice a day what they knew already: You must sow your wheat in October, you must reap your wheat in August, etc.

The main argument why they would have two sermons a day is because they have two meals a day; the soul must be fed as well as the body. But I may as well argue, I ought to have two noses because I have two eyes, or two mouths because I have two ears. What have meals and sermons to do one with another?

The things between God and man are but a few, and those, forsooth, we must be told often of; but things between man and man are many; those I hear of not above twice a year, at the Assizes, or once a quarter, at the Sessions; but few come then; nor does the minister exhort the people to go at these times to learn their duty toward their neighbor. Often-preaching is, sure, to keep the minister in countenance, that he may have something to do.

In preaching they say more to raise men to love virtue than men can possibly perform, to make them do their best; as, if you would teach a man to throw the bar, to make him put out his strength you bid him throw further than it is possible for him, or any man else: throw over yonder house.

In preaching they do by men as writers of romances do by their chief knights, bring them into many dangers but still fetch them off: so

they put men in fear of hell, but at last bring them to heaven.

Preachers say, do as I say, not as I do. But if a physician had the same disease upon him that I have, and he should bid me do one thing, and he do quite another, could I believe him?

Preaching the same sermon to all sorts of people is as if a schoolmaster should read the same lesson to his several forms: if he reads *Amo, amas, amavi,* the highest forms laugh at him, the younger boys admire him; so 'tis in preaching to a mixed auditory. *Objection.* But it cannot be otherwise; the parish cannot be divided into several forms: what must the preacher then do in discretion? *Answer.* Why then let him use some expressions by which this or that condition of people may know such doctrine does more especially concern them; it being so delivered that the wisest may be content to hear. For if he delivers it all together and leaves it to them to single out what belongs to themselves (which is the usual way), 'tis as if a man would bestow gifts upon children of several ages, two years old, four years old, ten years old, etc., and there he brings tops, pins, points, ribbons, and casts them all in a heap together upon a table before them. Though the boy of ten years old knows how to choose his top, yet the child of two years old, that should have a ribbon, takes a pin, and the pin, e'er he be aware, pricks his fingers, and then all's out of order, etc.

Preaching for the most part is the glory of the preacher, to show himself a fine man. Catechizing would do much better.

Use the best arguments to persuade, though but few understand; for the ignorant will sooner believe the judicious of the parish than the preacher himself; and they teach when they dissipate what he has said, and believe it the sooner, confirmed by men of their own side. For betwixt the laity and the clergy there is, as it were, a continual driving of a bargain; something the clergy would still have us be at, and therefore many things are heard from the preacher with suspicion. They are afraid of some ends, which are easily assented to when they have it from some of themselves. 'Tis with a sermon as 'tis with a play; many come to see it who do not understand it, and yet, hearing it cried up by one whose judgment they cast themselves upon, and of power with them, they swear, and will die in it, that 'tis a very good play, which they would not have done if the priest himself had told them so. As in a great school 'tis not the master that teaches all; the monitor does a great deal of work; it may be the boys are afraid to see the master: so in a parish 'tis not the minister does all; the greater neighbor teaches the lesser, the master of the house teaches his servant, etc.

First in your sermons use your logic, and then your rhetoric. Rhetoric without logic is like a tree with leaves and blossoms but no

root; yet I confess more are taken with rhetoric than logic, because they are catched with a free expression when they understand not reason. Logic must be natural or it is worth nothing at all; your rhetoric figures may be learned. That rhetoric is best which is most seasonable and most catching. An instance we have in that old blunt commander at Cadiz, who showed himself a good orator; being to say something to his soldiers, which he was not used to do, he made them a speech to this purpose: "*What a shame will it be, you* Englishmen, *that feed upon good beef and brewess, to let those rascally* Spaniards *beat you that eat nothing but oranges and lemons;*" and so put more courage into his men than he could have done with a learned oration. Rhetoric is very good, or stark naught. There's no medium in rhetoric. If I am not fully persuaded I laugh at the orator.

'Tis good to preach the same thing again; for that's the way to have it learned. You teach a bird, by often whistling, to learn a tune, and a month after she will record it to herself.

'Tis a hard case a minister should be turned out of his living for something they inform us he has said in his pulpit. We can no more know what a minister said in his sermon by two or three words picked out of it, than we can tell what tune a musician played last upon the lute, by two or three single notes. [Over-critical people should mark this.]

Predestination.

They that talk nothing but predestination, and will not proceed in the way of heaven till they be satisfied in that point, do as a man that would not come to London unless at his first step he might set his foot upon the top of St. Paul's.

For a young divine to begin in his pulpit with predestination is as if a man were coming into London and at his first step would think to set his foot, etc.

Predestination is a point inaccessible, out of our reach; we can make no notion of it; 'tis so full of intricacy, so full of contradiction; 'tis, in good earnest, as we state it, half a dozen bulls one upon another.

Doctor Prideaux, in his Lectures, several days used arguments to prove predestination; at last he tells his auditory they are damned that do not believe it; doing herein just like schoolboys, when one of them has got an apple, or something the rest have a mind to, they use all the arguments they can to get some of it from him: "I gave you some t'other day;" "You shall have some with me another time." When they cannot prevail they tell him he's a jackanapes, a rogue and a rascal.

Preferment.

When you would have a child go to such a place, and you find him unwilling, you tell him he shall ride a cock-horse, and then he will go

presently; so do those that govern the state deal by men to work them to their ends: they tell them they shall be advanced to such or such a place, and they will do anything they would have them do.

A great place strangely qualifies. John Read, groom of the chamber to my lord of Kent, was in the right. Attorney Noy being dead, some were saying, what would the king do for a fit man? "Why, any man," says John Read, "may execute the place." "I warrant," says my lord, "thou think'st thou understand'st enough to perform it." "Yes," quoth John; "let the king make me Attorney, and I would fain see that man that durst tell me there's anything I understand not."

When the pageants are a-coming there's a great thrusting and a-riding upon one another's backs, to look out at the window: stay a little and they will come just to you; you may see them quietly. So 'tis when a new statesman or officer is chosen; there's great expectation and listening who it should be; stay a while and you may know quietly.

Missing preferment makes the presbyters fall foul upon the bishops: men that are in hopes and in the way of rising keep in the channel, but they that have none seek new ways. 'Tis so among the lawyers; he that hath the judge's ear will be very observant of the way of the court; but he that hath no regard will be flying out.

My Lord Digby,* having spoken something in the House of Commons for which they would have questioned him, was presently called to the Upper House. He did by the Parliament as an ape when he hath done some waggery: his master spies him, and he looks for his whip, but before he can come at him, off flies the ape to the top of the house. [The promotion shut his mouth.]

Some of the Parliament were discontented; they wanted places at court which others had got; but when they had them once, then they were quiet. [Like Digby.] Just as at a christening, some that get no sugar plums, when the rest have, mutter and grumble; presently the wench comes again with her basket of sugar plums, and then they catch and scramble, and when they have got them, you hear no more of them. [Selden, like Cassius, was "a great observer, and looked quite through the deeds of men." If the young reader does not profit by his observations, then I shall agree with his dictum, that "no man is the wiser for his learning," and that "wit and wisdom are born with a man." You see, by these observations of Selden, that the aims and objects, hopes and fears, of men and women, are pretty much the same as those of children, only on a larger scale. They are all trying to *get* something; very few to *give* anything.]

* *Lord Digby.* He spoke against Strafford's attainder, and was called up to the Lords, June 10, 1641.—S. See p. 116.

Presbytery.

They that would bring in a new government would fain persuade us they meet it in antiquity. Thus they interpret presbyters, when they meet the word in the Fathers. Other professions likewise pretend to antiquity. The alchemist will find his art in Virgil's *Aureus ramus,* and he that delights in optics will find them in Tacitus. When Cæsar came into England they would persuade us they had perspective glasses by which he could discover what they were doing upon the land, because it is said, *Positis speculis*: the meaning is, His watch or his sentinel discovered this and this unto him.

Presbyters have the greatest power of any clergy in the world, and gull the laity most. For example; admit there be twelve laymen to six presbyters, the six shall govern the rest as they please. First because they are constant, and the others come in like churchwardens in their turns, which is a huge advantage. Men will give way to them who have been in place before them. Next, the laymen have other professions to follow: the presbyters make it their sole business; and besides, too, they learn and study the art of persuading: some of Geneva have confessed as much.

The presbyter with his elders about him is like a young tree fenced about with two, or three, or four stakes; the stakes defend it, and hold it up, but only the tree prospers and

flourishes. It may be some willow stake may bear a leaf or two, but it comes to nothing. Lay elders are stakes, the presbyter the tree that flourishes.

When the queries were sent [by Parliament] to the Assembly concerning the *jus divinum* of Presbytery,* their asking time to answer them was a satire upon themselves; for if it were to be seen in the text they might quickly turn to the place and show us it. Their delaying to answer makes us think there's no such thing there. They do just as you have seen a fellow do at a tavern reckoning: when he should come to pay his reckoning, he puts his hands into his pockets, and keeps a-grabbling and a-fumbling, and shaking; at last he tells you he has left his money at home, when all the company knew at first he had no money there; for every man can quickly find his own money.

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* The Assembly met with many difficulties; some complaining of Mr. Selden, that, advantaged by his skill in antiquity, common law, and the oriental tongues, he employed them rather to pose than profit, perplex than inform the members thereof—in the fourteen queries he proposed; whose intent therein was to humble the *jure-divino*-ship of Presbytery; which though hinted and held forth, is not so made out in Scripture, but, being too scant on many occasions, it must be pieced with prudential additions. These queries being sent from Parliament to the Assembly it was ordered that in the answers proof from Scripture be set down with the several texts at large, in the express words of the same, etc. On receiving these queries the Assembly is in great perturbation, appoints a solemn fast, and a committee to consider the answers.—S.

Priests of Rome.

The reason of the statute against priests was this: In the beginning of Queen Elizabeth there was a statute made that he that drew men from their civil obedience was a traitor. It happened this was done in privacies and confessions, where there could be no proof; therefore they made another act, that for a priest to be in England was treason, because they presumed that it was his business to fetch men off from their obedience.

When Queen Elizabeth died, and King James came in, an Irish priest does thus express it: *Elizabetha in orcum detrusa, successit Jacobus, alter Haereticus.* You will ask why they did use such language in their Church. *Answer.* Why does the nurse tell the child of raw-head and bloody-bones but to keep it in awe?

The Queen Mother and Count Rosset are to the priests and Jesuits like the honey-pot to the flies.*

The priests of Rome aim but at two things: to get power from the king and money from the subject.

When the priests come into a family they do as a man that would set fire to a house; he does not put fire to the brick wall, but thrusts it into

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* *The Queen Mother and Rosset.* Mary de Medicis was got out of England at last by the Parliament at £10,000 expense, August 1641.—S.

the thatch. They work upon the women and let the men alone.*

PROPHECIES.

DREAMS and prophecies do thus much good; they make a man go on with boldness and courage upon a danger or a mistress: if he obtains, he attributes much to them; if he miscarries, he thinks no more of them, or is no more thought of himself.

PROVERBS.

THE proverbs of several nations were much studied by Bishop Andrews, and the reason he gave was because by them he knew the minds of several nations, which is a brave thing; as we count him a wise man that knows the minds and insides of men, which is done by knowing what is habitual to them. Proverbs are habitual to a nation, being transmitted from father to son. ["One man's wit, and all men's wisdom," was Lord John Russell's happy definition of a proverb.]

QUESTION.

WHEN a doubt is propounded, you must learn to distinguish and show wherein a thing holds, and wherein it doth not hold. Aye or no never answered any question. The not distinguishing where things should be dis-

* See Michelet's late remarkable publication, *Priests, Women, and Families*.—S.

tinguished, and the not confounding where things should be confounded, is the cause of all the mistakes in the world.

Reason.

In giving reasons, men commonly do with us as the woman does with her child; when she goes to market about her business she tells it she goes to buy it a fine thing, to buy it a cake or some plums. They give us such reasons as they think we shall be catched withal, but never let us know the truth.

When the schoolmen talk of *Recto Ratio* in morals, either they understand reason as it is governed by a command from above, or else they say no more than a woman when she says a thing is so because it is so; that is, her reason persuades her 'tis so. The other acception has sense in it. As take a law of the land, I must not depopulate,* my reason tells me so. Why? Because if I do I incur the detriment.

The reason of a thing is not to be inquired after till you are sure the thing itself be so. We commonly are at "What's the reason of it?" before we are sure of the thing. 'Twas an excellent question of my Lady Cotton, when Sir Robert Cotton was magnifying of a shoe which was [said to be] Moses's or Noah's, and

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* *Depopulate. Depopulatio agrorum*—a great offense in the ancient common law: pulling down, or leaving to ruin, farm-houses, cottages, etc., turning arable into pasture, etc.—S.

wondering at the strange shape and fashion of it: "But, Mr. Cotton," says she, "are you sure it is a shoe?"

Retaliation.

"An eye for an eye, and a tooth for a tooth." That does not mean, that if I put out another man's eye, therefore I must lose one of my own (for what is he the better for that?), though this be commonly received; but it means, I shall give him what satisfaction an eye shall be judged to be worth. [Such were the penalties among the early Anglo-Saxons.]

Reverence.

'Tis sometimes unreasonable to look after respect and reverence, either from a man's own servant or other inferiors. A great lord and a gentleman talking together, there came a boy by, leading a calf with both his hands. Says the lord to the gentleman, "You shall see me make the boy let go his calf;" with that he came toward him, thinking the boy would have put off his hat, but the boy took no notice of him. The lord seeing that, "Sirrah," says he, "do you not know me, that you use no reverence?" "Yes," says the boy, "if your lordship will hold my calf I will put off my hat."

Non-Residency.

The people thought they had a great victory over the clergy when in Henry the Eighth's time they got their bill passed, that a clergyman

should have but two livings: before, a man might have twenty or thirty; 'twas but getting a dispensation from the Pope's limiter, or gatherer of the Peter Pence,* which was as easily got then as now you may have a license to eat flesh.

As soon as a minister is made he hath power to preach all over the world, but the civil power restrains him: he cannot preach in this parish, or in that; there is one already appointed. Now if the state allows him two livings, then he hath two places where he may exercise his function, and so has the more power to do his office, which he might do everywhere if he were not restrained.

Religion.

King James said to the fly, "Have I three kingdoms, and thou must needs fly into my eye?" Is there not enough to meddle with upon the stage, or in love, or at the table, but religion?

Religion among men appears to me like the learning they get at school. Some men forget all they learned, others spend upon the stock, and some improve it. So some men forget all the religion that was taught them when they were young, others spend upon that stock, and some improve it.

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* *Peter-Pence.* A levy of one penny to the Pope on every chimney that smoked—so called hearth-penny, smoke-penny, etc., granted by Ine or Athelulph.—S. [Peter-Pence are now levied for other things than "chimneys that smoked."]

Religion is like the fashion: one man wears his doublet slashed, another laced, another plain; but every man has a doublet. So every man has his religion. We differ about trimming.*

Men say they are of the same religion, for quietness' sake; but if the matter were well examined you would scarce find three anywhere of the same religion in all points. [Never was a truer sentence uttered. Every thinking man has his own religion; even Ingersoll had his own faith. But the latter held not his for quietness' sake.]

Every religion is a [money] getting religion; for though I myself get nothing I am subordinate to those that do. So you may find a lawyer in the Temple that gets little for the present; but he is fitting himself to be in time one of those great ones that do get.

Alteration of religion is dangerous, because we know not where it will stay. 'Tis like a millstone that lies upon the top of a pair of stairs; 'tis hard to remove it, but if once it be thrust off the first stair it never stays till it comes to the bottom.

Question. Whether is the Church or the Scripture judge of religion? *Answer.* In truth neither, but the state. I am troubled with a boil; I call a company of chirurgeons about

* May not this have afforded a hint to Swift for *The Tale of a Tub?*—S.

me; one prescribes one thing, another another; I single out something I like, and ask you that stand by, who are no chirurgeon, what think you of it. You like it too; you and I are judges of the plaster, and we bid them prepare it, and there's an end. Thus 'tis in religion: the Protestants say they will be judged by the Scriptures; the Papists say so too; but that cannot speak. A judge is no judge except he can both speak and command execution; but the truth is they never intend to agree. No doubt the Pope, where he is supreme, is to be judge; if he say we in England ought to be subject to him, then he must draw his sword and make it good.

By the law was the Manual* received into the Church before the Reformation; not by the civil law, that had nothing to do in it; nor by the canon law, for that Manual that was here was not in France, nor in Spain; but by custom, which is the common law of England; and custom is but the elder brother to a Parliament: and so it will fall out to be nothing that the Papists say ours is a Parliamentary religion, by reason the service-book was established by act of Parliament, and never any service-book was so before. That will be nothing that the Pope sent the Manual; 'twas ours, because the state received it. The state still makes the religion, and receives into it what will best agree with it. Why are the Venetians

* A service-book published before the Reformation.

Roman Catholics? because the state likes the religion; all the world knows they care not three pence for the Pope. The Council of Trent is not at this day admitted in France.

Papist. Where was your religion before Luther, a hundred years ago? *Protestant.* Where was America a hundred or sixscore years ago? Our religion was where the rest of the Christian Church was. *Papist.* Our religion continued ever since the Apostles, and therefore 'tis better. *Protestant.* So did ours. That there was an interruption of it will fall out to be nothing, no more than if another earl should tell me of the Earl of Kent; saying, He [the other earl] is a better earl than he, because there was one or two of the family of Kent did not take the title upon them; yet all that while they were really earls; and afterward as great a prince declared them to be earls of Kent as he that made the other family an earl. [This recalls Sir Henry Wotton's clever answer to a Romish priest who asked him, "Where was your religion before Luther?" "Where yours is not now," answered Sir Henry; "in the Holy Scriptures."]

Disputes in religion will never be ended, because there wants a measure by which the business would be decided. The Puritan would be judged by the word of God. If he would speak clearly he means himself, but he is ashamed to say so; and he would have me believe him before a whole Church, that has read

the word of God as well as he. One says one thing, and another another; and there is, I say, no measure to end the controversy. 'Tis just as if two men were at bowls, and both judged by the eye. One says 'tis his cast, the other says 'tis my cast; and having no measure, the difference is eternal. Ben Jonson satirically expressed the vain disputes of divines, by Inigo Lanthorn disputing with his puppet in *Bartholomew Fair*: It is so; It is not so: It is so; It is not so: crying thus one to another a quarter of an hour together.

In matters of religion, to be ruled by one that writes against his adversary, and throws all the dirt he can in his face, is as if in point of good manners a man should be governed by one whom he sees at cuffs with another, and thereupon thinks himself bound to give the next man he meets a box on the ear.

'Tis to no purpose to labor to reconcile religions when the interest of princes will not suffer it. 'Tis well if they could be reconciled so far that they should not cut one another's throats.

There's all the reason in the world divines should not be suffered to go a hair beyond their bounds, for fear of breeding confusion, since there now be so many religions on foot. The matter was not so narrowly to be looked after when there was but one religion in Christendom: the rest would cry him down for a heretic, and there was nobody to side with him.

We look after religion as the butcher did after his knife, when he had it in his mouth.

Religion is made a juggler's paper: now 'tis a horse, now 'tis a lantern, now 'tis a boar, now 'tis a man. To serve ends, religion is turned into all shapes.

Pretending religion and the law of God is to set all things loose. When a man has no mind to do something he ought to do by his contract with man, then he gets a text, and interprets it as he pleases, and so thinks to get loose.

Some men's pretending religion is like the roaring boys'* way of challenges: their "reputation is dear; it does not stand with the honor of a gentleman;" when, God knows, they have neither honor nor reputation about them.

They talk much of settling religion: religion is well enough settled already, if we would let it alone. Methinks we might look after other things.

If men would say they took arms for anything but religion, they might be beaten out of it by reason: out of that they never can, for they will not believe you, whatever you say.

The very arcanum of pretending religion in all wars is that something may be found out in which all men have an interest. In this [war] the groom has as much interest as the lord. Were it for land, one with one thousand acres

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* *Roaring Boys.* The swashbucklers or bullying bucks of Charles's time.—S.

and the other but one, he [that has but one acre] would not venture so far as he that has a thousand. But religion is equal to both [makes the interest of both equal]. Had all men land alike, by a *lex agraria,* then all men would say they fought for land. [Does not this chapter remind the reader of Lessing in *Nathan the Wise?* May he not have taken a hint from it?]

Sabbath.

Why should I think all the fourth commandment belongs to me when all the fifth does not? What land will the Lord give me for honoring my father? It was spoken to the Jews with reference to the land of Canaan; but the meaning is, If I honor my parents God will also bless me. We read the Commandments in the Church service as we do David's Psalms; not that all there concerns us, but a great deal of them does.

Sacrament.

Christ suffered Judas to take the Communion. Those ministers that keep their parishioners from it, because they will not do as they will have them, revenge rather than reform.

No man can tell whether I am fit to receive the Sacrament; for though I were fit the day before, when he examined me, at least appeared so to him, yet how can he tell what sin I have committed that night, or the next morning, or

what impious atheistical thoughts I may have about me when I am approaching the very table? [Do not the most liberal Christians now think in this way? Should not any poor Christian who desires to do so partake of the Lord's Supper?]

Salvation.

We can best understand the meaning of *σωτηρία*, salvation, from the Jews, to whom the Saviour was promised. They held that themselves should have the chief place of happiness in the other world; but the Gentiles that were good men should likewise have their portion of bliss there too. Now by Christ the partition wall is broken down, and the Gentiles that believe in him are admitted to the same place of bliss with the Jews; and why then should not that portion of happiness still remain to them who do not believe in Christ, so they be morally good? This is a charitable opinion. [Roger Williams himself, who first proclaimed the right of every man to worship God as he thought fit, could not have uttered a more charitable opinion.]

State.

In a troubled state, save as much for your own as you can. A dog had been at market to buy a shoulder of mutton; coming home he met two dogs, by the way, that quarreled with him; he laid down his shoulder of mutton, and

fell to fighting with one of them; in the meantime the other dog fell to eating his mutton; he seeing that, left the dog he was fighting with, and fell upon him that was eating; then the other dog fell to eat: when he perceived there was no remedy, but which of them soever he fought withal his mutton was in danger, he thought he would have as much of it as he could, and thereupon gave over fighting, and fell to eating himself. [Here spoke the cautious lawyer—he would not lose all, even for the state's sake, if he could help it. When all is going to ruin, and the ship is sinking fast, save what you can of your own. *"Sauve qui peut!"* were the last words of Napoleon at Waterloo.]

SUPERSTITION.

THEY that are against superstition oftentimes run into it of the wrong side. If I will wear all colors but black, then am I superstitious in not wearing black.

They pretend not to abide the cross* [on coins], because 'tis superstitious; for my part I will believe them when I see them throw their money out of their pockets, and not till then.

If there be any superstition, truly and prop-

* It will be remembered that on the old coins the reverse had generally the device of a *cross*, hence the French phrase of "Jouer *croix* et pile" for to play at tossing for heads or tails. So in "As You Like It," ii. 4: "*Touch.* For my part I had rather bear with you than bear you; yet I should bear no *cross* if I did bear you; for I think you have no *money* in your purse."—S.

erly so called, 'tis their observing the Sabbath after the Jewish manner.

SHIP MONEY.

MR. NOY brought in ship money first for maritime towns; but that was like putting in a little auger that afterward you may put in a greater. He that pulls down the first brick does the main work; afterward 'tis easy to pull down the wall.

They that at first would not pay ship money, till it was decided, did like brave men, though perhaps they did no good by the trial; but they that stand out since, and suffer themselves to be distrained, never questioning those that do it, do pitifully, for so they only pay twice as much as they should.*

THANKSGIVING.

AT first we gave thanks for every victory as soon as ever 'twas obtained; but since we have had many, now we can stay a good while. We are just like a child: give him a plum, he makes his bow; give him a second plum, he makes another bow; at last, when his belly is full, he

* Selden evidently doubted whether Hampden's contest against the payment of ship money, though praiseworthy and correct, was of any benefit to the country, and we may consider that his doubt was founded upon a just fear that it would aggravate the growing enmity between the people and the sovereign, and would involve in one feeling of dislike all the constituted branches of the executive.—Johnson's *Memoirs of Selden*.

forgets what he ought to do; then his nurse, or somebody else that stands by him, puts him in mind of his duty: Where's your bow? [We are all likely to forget the good things God grants us when we are full of them. It is when we are in need that we think of and appeal to Him. Yet the Puritans made Thanksgiving day.]

Tithes.

What if the Pope gave the tithes to any man, must they therefore be taken away? If the Pope gives me a jewel will you therefore take it away from me?

Abraham paid tithes to Melchizedeck. What then? 'Twas very well done of him; it does not follow therefore that I must pay tithes, no more than I am bound to imitate any other action of Abraham's.

'Tis ridiculous to say the tithes are God's part, and therefore the clergy must have them. Why, so they are if the layman has them. 'Tis as if one of my Lady Kent's maids should be sweeping this room, and another of them should come and take away the broom, and give for a reason why she should part with it, 'Tis my lady's broom. As if it were not my lady's broom, which of them soever had it.

They consulted in Oxford where they might find the best argument for their tithes, setting aside the *jus divinum;* they were advised to my *History of Tithes;* a book so much cried down by them formerly; in which, I dare

boldly say, there are more arguments for them than are extant together anywhere. Upon this, one writ me word that my *History of Tithes* was now become like Pelias' *hasta,** to wound and to heal. I told him in my answer, I thought I could fit him with a better instance. 'Twas possible it might undergo the same fate that Aristotle, Avicen, and Averroes did in France, some five hundred years ago; which were excommunicated by Stephen, Bishop of Paris (by that very name, excommunicated), because that kind of learning puzzled and troubled their divinity; but finding themselves at a loss, some forty years after (which is much about the time since I writ my history) they were called in again, and so have continued ever since.

[In his *History of Tithes* Selden drew no conclusion as to the nature or the divine right of tithes, but he had so arranged his authorities as to render a just conclusion inevitable. So far, however, from injuring the clergy, he had strengthened their cause by placing the right to tithes upon the same footing as any ordinary right to property But as soon as the work appeared it was attacked, and its author had to appear before the High Commission court, to whom he expressed his regret that he "had afforded any occasion of argument against any right of maintenance *jure divino* of

* *Pelias' hasta.* The spear of Achilles, which was necessary to cure the wound it had inflicted on Telephus.—S.

the ministers of the Gospel." The work received several answers, but Selden was forbidden, under a threat of imprisonment by James the First, to answer his assailants. He complains justly of being abused and attacked on all sides while his own hands were tied; so completely tied that he hardly ventured even to say that he was abused. This was the kind of liberty enjoyed under the Stuarts, some of whom, especially *the martyr* Charles I., are still venerated by certain silly persons even in our own country.]

TRADE.

THERE is no prince in Christendom but is directly a tradesman, though in another way than an ordinary tradesman. For example: I have a man; I bid him lay out twenty shillings in such commodities; but I tell him for every shilling he lays out I will have a penny. I trade as well as he. This every prince does in his customs. [That is, in his custom-house. This is a fine hit at those silly gentry who think themselves superior to those persons who are engaged in trade.]

That which a man is bred up in he thinks no cheating; as your tradesman thinks not so of his profession, but calls it a mystery. Whereas, if you would teach a mercer to make his silks heavier than what he has been used to, he would peradventure think that to be cheating.

Every tradesman professes to cheat me that

asks for his commodity twice as much as it is worth. [That is, acknowledges that he cheats me; but so do not the princes in their customs or duties.]

TRADITION.

SAY what you will against tradition; we know the signification of words by nothing but tradition. You will say the Scripture was written by the Holy Spirit; but do you understand that language 'twas writ in? No. Then, for example, take these words: *In principio erat verbum.* How do you know these words signify, "In the beginning was the Word," but by tradition, because somebody has told you so?

TRANSUBSTANTIATION.

THE Fathers, using to speak rhetorically, brought up Transubstantiation: as if because it is commonly said, *Amicus est alter idem* [a friend is another exactly similar], one should go about to prove a man and his friend are all one. That opinion is only rhetoric turned into logic.

There is no greater argument (though not used) against Transubstantiation than the apostles at their first council forbidding blood and suffocation. Would they forbid blood, and yet enjoin the eating of blood too?

The best way for a pious man is to address himself to the Sacrament with that reverence and devotion as if Christ were really there present. [A good sermon in a sentence.]

Traitor.

'Tis not seasonable to call a man traitor that has an army at his heels. One with an army is a gallant man. My Lady Cotton was in the right when she laughed at the Duchess of Richmond for taking such state upon her when she could command no forces. "She a Duchess! there's in Flanders a Duchess indeed;" meaning the Arch-duchess [who had an army at her heels].

Truth.

The Aristotelians say, All truth is contained in Aristotle in one place or another. Galileo makes Simplicius say so, but shows the absurdity of that speech, by answering, All truth is contained in a lesser compass: in the alphabet. Aristotle is not blamed for mistaking sometimes, but Aristotelians for maintaining those mistakes. They should acknowledge the good they have from him, and leave him when he is in the wrong. There never breathed that person to whom mankind was more beholden.

The way to find out the truth is by others' mistakings; for if I was to go to such a place, and one had gone before me on the right hand, and he was out; another had gone on the left hand, and he was out; this would direct me to keep the middle way, which peradventure would bring me to the place I desired to go. [This is why I consider biography one of the most useful kinds of reading.]

In troubled water you can scarce see your

face, or see it very little, till the water be quiet and stand still. So in troubled times you can see little truth. When times are quiet and settled, then truth appears.

TRIAL.

TRIALS are by one of these three ways: by confession, or by demurrer—that is, confessing the fact, but denying it to be that wherewith a man is charged: for example, denying it to be treason, if a man be charged with treason—or by a jury.

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Ordalium was a trial; and was either by going over nine red-hot plowshares, as in the case of Queen Emma, accused for lying with the Bishop of Winchester, over which she being led blindfold, and having passed all her irons, asked when she should come to her trial; or 'twas by taking a red-hot colter in a man's hand, and carrying it so many steps, and then casting it from him. As soon as this was done the hands or the feet were to be bound up, and certain charms to be said, and a day or two after to be opened: if the parts were whole the party was judged to be innocent; and so on the contrary.

The rack is used nowhere as in England.*

* It is commonly believed the rack was not used in England later than 1619, when Peacham, suspected of treason, was racked by order of the Privy Council. But Mr. Jardine quotes from the Council Book a series of warrants for torture from Edward the Sixth down to 1640. The twelve judges declared it was against the law, in Felton's case.—S.

In other countries 'tis used in judicature when there is a *semiplena probatio,* a half proof against a man; then, to see if they can make it full, they rack him if he will not confess. But here in England they take a man and rack him, I do not know why, nor when; not in time of judicature, but when somebody bids.

Some men before they come to their trial are cozened to confess upon examination. Upon this trick they are made to believe somebody has confessed before them; and then they think it a piece of honor to be clear and ingenuous, and that destroys them. [It is easy to see by this that the humane Selden condemned the rack, which Lord Bacon allowed in the case of Peacham. While the "cozening to confess" is, in certain cases, doubtless still in use, the rack was abolished, or declared contrary to the law of England, in 1638. The *ordalium,* or trial by ordeal (German, *urtheil,* judgment), was one of the terrible practices of the "good old times," not only in Europe, but in Asia and Africa, whence it was derived. It continued as late as 1498 on the Continent, but was abolished about 1350 in England. It was sanctioned by both the law and the Church, and was practiced in a hundred ways—by fire, by water, by poison, by lot, by wager of battle, and so on—so that if an accused person could overcome any or all of these, applied in the most deadly shape, he was innocent; if not, he was guilty. Must not our children be informed

of all these things before they can appreciate the law and the liberty we now have? We learn best by comparison and by contrast.]

University.

The best argument why Oxford should have precedence of Cambridge is the act of Parliament by which Oxford is made a body, made what it is, and Cambridge is made what it is; and in the act it takes place. Besides Oxford has the best monuments to show.

'Twas well said by one, hearing of a history lecture to be founded in the university: Would to God, says he, they would direct a lecture of discretion there; this would do more good a hundred times.

He that comes from the university to govern the state, before he is acquainted with the men and manners of the place, does just as if one should come into the presence chamber all dirty, with his boots on, his riding coat and his hat all daubed. These may serve him well enough on the road; but when he comes to court he must conform to the place.

Vows.

Suppose a man find by his own inclination he has no mind to marry, may he not then vow chastity? *Answer.* If he does, what a fine thing hath he done! 'tis as if a man did not love cheese, and then he would vow to God Almighty never to eat cheese. He that vows

can mean no more in common sense than this: to do his utmost endeavor to keep his vow. [And is this vow more easily kept than other vows? Macaulay calls the love between the sexes "the master passion of human nature." 'Tis in this item chiefly that some of our best and greatest men have sinned.]

Usury.

The Jews were forbidden to take use one of another, but they were not forbidden to take it of other nations. That being so, I see no reason why I may not as well take use for my money as rent for my house. 'Tis a vain thing to say money begets not money; for that no doubt it does.

Would it not look odd to a stranger that should come into this land, and hear in our pulpits usury preached against, and yet the law allow it? Many men use it; perhaps some Churchmen themselves. No bishop nor ecclesiastical judge, that pretends power to punish other faults, dares punish, or at least does punish, any man for doing it.*

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* Taking use or interest for money was then termed *usury*, and was considered, if not criminal, at least hateful. The reader may turn to Lord Bacon's forty-first Essay, which is on this subject, to see with what caution he ventures to speak of "the commodities of usury," and he will be amused with some of the arguments against it.—S. [All of which shows that Selden took a bolder and more sensible view of the subject than Bacon.]

PIOUS USES.

THE ground of the ordinary's* taking part of a man's estate, who died without a will, to pious uses, was this: to give it somebody to pray that his soul might be delivered out of purgatory. Now the pious uses come into his own pocket. 'Twas well expressed by John O'Powls in the play, who acted the priest. One that was to be hanged, being brought to the ladder, would fain have given something to the poor: he feels for his purse (which John O'Powls had picked out of his pocket before). Missing it, he cries out he has lost his purse, now he intended to have given something to the poor. John O'Powls bid him be pacified, *for the poor had it already.*

WAR.

Do not undervalue an enemy by whom you have been worsted. When our countrymen came home from fighting with the Saracens, and were beaten by them, they pictured them with huge, big, terrible faces (as you still see the sign of the Saracen's head is), when in truth they were like other men. But this they did to save their own credit.

Martial Law† in general means nothing but

* The ordinary of Newgate is a clergyman who attends on condemned malefactors to prepare them for death. The play referred to in this paragraph is Marston's *Dutch Courtezan*. —W.

† *Martial law.* This was one of the chief grievances complained of in the Petition of Right, debated many days in Par-

the martial law of this or that place: with us it is to be used in *fervore belli,* in the face of the enemy, not in time of peace; then they can take away neither limb nor life. The commanders nèed not complain for want of it, because our ancestors have done gallant things without it.

Question. Whether subjects may take up arms against their prince? *Answer.* Conceive it thus: here lies a shilling betwixt you and me; ten pence of the shilling is yours, two pence is mine, by agreement; I am as much king of my two pence as you of your ten pence. If you therefore go about to take away my two pence I will defend it, for there you and I are equal, both princes.

Or thus: two supreme powers meet; one says to the other, give me your land; if you will not, I will take it from you; the other, because he thinks himself too weak to resist him, tells him, of nine parts I will give you three, so I may quietly enjoy the rest, and I will become your tributary. Afterward the first comes to exact six parts, and leaves but three; the contract then is broken, and they are in enmity again.

To know what obedience is due to the prince

liament, and Selden one of the chief speakers. Charles had billeted his soldiers illegally on his subjects; any crimes, violence, etc., those soldiers should commit, to be punished by martial law—whereby many were illegally executed, and many, acquitted by the martial law, evaded the surer process of the common law. Great outrage and violence prevailed; the roads were not safe, markets unfrequented, etc.—S.

you must look into the contract betwixt him and his people; as, if you would know what rent is due from the tenant to the landlord, you must look into the lease. When the contract is broken, and there is no third person to judge, then the decision is by arms. This is the case between the prince and the subject.

Question. What law is there to take up arms against the prince, in case he break his covenant? *Answer.* Though there be no written law for it, yet there is custom, which is the best law of the kingdom; for in England they have always done it. There is nothing expressed, between the King of England and the King of France, that if either invades the other's territory the other shall take up arms against him; and yet they do it upon such an occasion.

'Tis all one to be plundered by a troop of horse or to have a man's goods taken from him by an order from the council table. To him that dies, 'tis all one whether it be by a penny halter or a silk garter; yet I confess the silk garter pleases more; and, like trout, we love to be tickled to death. [All this, it will be observed, is a strong argument against the king and in favor of the Parliament. The king had broken his contract, and made "the decision by arms."]

The soldiers say they fight for honor, when the truth is they have their honor in their pocket; and they mean the same thing that pretend to fight for religion. Just as a parson

goes to law with his parishioners; he says, for the good of his successors, that the Church may not lose its right; when the meaning is, to get the tithes into his own pocket.

We govern this war as an unskillful man does a casting net: if he has not the right trick to cast the net off his shoulder, the leads will pull him into the river. I am afraid we shall pull ourselves into destruction.

We look after the particulars of a battle because we live in the very time of war; whereas of battles past we hear nothing but the number slain. Just as with the death of a man: when he is sick we talk how he slept this night, and that night, what he ate, and what he drank: but when he is dead, we only say he died of a fever, or name his disease, and there's an end.

Boccaline* has this passage of soldiers. They came to Apollo to have their profession made the eighth liberal science, which he granted. As soon as it was noised up and down it came to the butchers, and they desired their profession might be made the ninth: for, say they, the soldiers have this honor for the killing of men; now we kill, as well as they, but we kill beasts for the preserving of men, and why should not we have honor likewise done to us? Apollo could not answer their reasons, so he reversed his sentence and made the soldier's

* *Ragguagli di Parnasso*, Centuria I, cap. lxxv. This book seems to have been a favorite with Selden; he has cited it elsewhere. It was extremely popular for its wit and satire.—S.

trade a mystery, as the butcher's is. [So there are but *seven* liberal sciences; what are they?]

WITCHES.*

THE law against witches does not prove there be any; but it punishes the malice of those people that use such means [in an endeavor] to take away men's lives. If one should profess that by turning his hat thrice, and crying buzz, he could take away a man's life, though in truth he could do no such thing, yet this were a just law made by the state: that whosoever should turn his hat thrice, and cry buzz, with an *intention* to take away a man's life, shall be put to death. [This seems severe; but remember

* There is a remarkable coincidence of opinion on the justice of punishing witchcraft between Selden and Hobbes. "As for witches, I think not that their witchcraft is any real power; but yet that they are justly punished for the false beliefe they have that they can do such mischiefe, joyned with their purpose to do it if they can; their trade being nearer to a new religion than to a craft or science."—*Leviathan*, p. 7, ed. 1651.

This, however, would only apply to those who practiced witchery with an evil intention, or to impose on credulity. Many of the poor wretches who were cruelly tormented and executed as supposed witches were the victims of wicked informers, or malevolent and ignorant neighbors, or enemies. And their confessions were extorted from them by cruel tortures. It seems now marvelous that the belief in witches so long maintained itself not only among the people, but among men of high intellectual power, a Glanville and a Henry More. Even Bentley defends the belief in witchcraft on the ground of the existence of a public law against it declaring it felony, and Dr. Samuel Clarke, in his *Exposition of the Church Catechism*, appears to countenance the popular credulity.—S.

that in Selden's time death was the penalty for stealing and many other crimes. That Selden did not believe in witchcraft shows how much greater, how much more sensible, how much freer from superstition he was, than most of the eminent men of his day.]

WIFE.

HE that hath a handsome wife is by other men thought happy; 'tis a pleasure to look upon her, and be in her company; but the husband is cloyed with her. We are never content with what we have. [No; nor with what we have not. The rich man is often cloyed with his wealth; but who would not be wealthy? I should like to try it.]

You shall see a monkey, some time, that has been playing up and down the garden, at length leap up to the top of the wall, but his clog hangs a great way below on this side. The bishop's wife is like that monkey's clog; himself is got up very high, takes place of the temporal barons, but his wife comes a great way behind.

[At the present day the reverse of this is often the case—the clog becomes a ladder by which the monkey climbs to the top of the wall! His simile would apply much better to those successful merchants who, beginning in a small way, have acquired wealth and station, and surrounded themselves with all fine things —except their wives, who have remained what they originally were when they married them.

Beware, O wife of a successful man, that you keep pace with him in intellectual as well as in material advancement, or he will finally be ashamed of you!]

'Tis reason a man that will have a wife should be at the charge of her trinkets, and pay all the scores she sets on him. He that will keep a monkey 'tis fit he should pay for the glasses he breaks. [This is the only defect I find in Selden—he had no high opinion of women; he failed to discover their good qualities, or wherein they are superior to men. Yet his greatest benefactor was a woman! To a man whose motto was, "Liberty above all things," wedlock was probably a dreaded thing.]

WISDOM.

A WISE man should never resolve upon anything, at least never let the world know his resolution; for if he cannot arrive at it he is ashamed. How many things did the king resolve, in his declaration concerning Scotland, never to do, and yet did them all! A man must do according to accidents and emergencies.

Never tell your resolution beforehand; but when the cast is thrown, play it as well as you can, to win the game you are at. 'Tis but folly to study how to play size-ace when you know not whether you shall throw it or no.

Wise men say nothing in dangerous times. The lion, you know, called the sheep to ask her if his breath smelt: she said, "Aye;" he bit off

her head for a fool. He called the wolf and asked him: he said "No;" he tore him to pieces for a flatterer. At last he called the fox and asked him: truly he had got a cold and could not smell.

WIT.

WIT and wisdom differ; wit is upon the sudden turn, wisdom is in bringing about ends.

Nature must be the groundwork of wit and art; otherwise whatever is done will prove but Jack-pudding's work.

Wit must grow like fingers. If it be taken from others 'tis like plums stuck upon blackthorns; there they are for a while, but they come to nothing.

He that will give himself to all manner of ways to get money may be rich; so he that lets fly all he knows or thinks may by chance be satirically witty. Honesty sometimes keeps a man from growing rich, and civility from being witty. Women ought not to know their own wit, because they will still be showing it, and so spoil it; like a child that will continually be showing its fine new coat, till at length it bedaubs it all with its pah hands.

Fine wits destroy themselves with their own plots, in meddling with great affairs of state. They commonly do as the ape that saw the gunner put bullets in the cannon, and was pleased with it, and he would be doing so too: at last he puts himself into the piece, and so both ape and bullet were shot away together.

[What Selden says about wit is doubtless true; but if wisdom cannot be acquired, why study anything at all? Why read even these wise sayings of his? Why listen to the conversation of a wise man? Why write it, or read it? That is just the difference between a man of sense and a fool; the former learns, the latter does not. Selden himself would never have been the wise man he was, or spoken so wisely as he did, had he not made himself familiar with the wit and wisdom of past ages.]

WOMEN.

LET the women have power of their heads, "because of the angels." The reason of the words "because of the angels" is this: The Greek Church held an opinion that the angels fell in love with women; an opinion grounded upon that in Genesis vi,* "The sons of God saw the daughters of men that they were fair." This fancy St. Paul discreetly catches, and uses it as an argument to persuade them to modesty.

Men are not troubled to hear a man dispraised, because they know, though he be naught, there's worth in others; but women are mightily troubled to hear any of them spoken against, as if the sex itself were guilty of some unworthiness.

Women and princes must both trust somebody; and they are happy or unhappy accord-

* But see also the apocryphal Book of Enoch, ch. vii, vs. 1, 2.—S.

ing to the desert of those under whose hands they fall. If a man knows how to manage the favor of a lady her honor is safe, and so is a prince's.

Zealots.

One would wonder that Christ should whip the buyers and sellers out of the temple and nobody offer to resist him, considering what opinion they had of him. But the reason was, they had a law, that whosoever did profane *sanctitatum Dei, aut templi,* the holiness of God or the temple, before ten persons, 'twas lawful for any of them to kill him, or to do anything this side killing him, as whipping him, or the like. [So the buyers and sellers did profane the temple.] Hence it was, that when one struck our Saviour before the judge, where it was not lawful to strike (as it is not with us at this day), he only replies: If I have spoken evil, bear witness of the evil; but if well, why smitest thou me? He says nothing against their smiting him, in case he had been guilty of speaking evil, that is, blasphemy, if they could have proved it against him. They that put this law into execution were called Zealots; but afterward they committed many villainies.

[What a bright light some of Selden's observations throw on passages in the Holy Scripture! I feel now that these wise remarks of this learned and able man are not merely to be read and then laid aside. They ought to be taken up from time to time and carefully con-

sidered or pondered over. And it is perhaps well to remind the young reader that Shakespeare, Milton, Bunyan, Erskine, Webster, Prentiss, Lincoln, and other great writers and speakers, were close students of the Bible, the great "well of English undefiled" from which they drew not only many of their words and images, but their inspiration. A writer on Daniel Webster, speaking of the influence of the Bible on him, wisely observes that "the young man who would be a writer that will be read, or an orator that will be heard, must study the English Bible."]

END OF TABLE-TALK.

V

Concluding Remarks—Closing Years of Mr. Selden's Life

"Is not this a rare fellow, my lord!" The reader must have perceived that there is much matter, much pith and sense, in the talk of this plain-spoken, shrewd old lawyer. His style of talking is what I call the style of a born teacher; that way of talking which makes everything discussed plain to the dullest apprehension. There is no misapprehending his meaning; no cloudy mysticism about him. Who can fail to feel the force of his comparisons and illustrations? Deeply versed as he was in legal and historical lore, it is plain that he was familiar with life in all its phases; with the motives and character of ordinary as well as of extraordinary men; and that an hour's talk with him was worth a year's reading of books. "Excellent!" says Coleridge, commenting on one of his remarks. "O to have been with Selden over his glass of wine, making every accident an outlet and a vehicle of wisdom!" And then

how much more forcible it must all have been when accompanied by the look, the tone, and the gesticulation of the old man eloquent himself!

No wonder his amanuensis thought it worth while to take notes of his talk—no wonder he felt it ought to be preserved for the benefit of others as well as of himself. For it is evident that the essence of Selden's life and thought was freely poured out in his talk; that he expressed his mind without reserve, and uttered in conversation what he would not have dared to express in writing. This is what makes it a privilege to listen to the talk of a great public man; you get at the "true inwardness" of things, and learn the substance of his experience, in an easy, pleasant way, without the inconvenience of ceremony. It is getting behind the scenes and seeing the springs of action without the trouble and anxiety of participating in them.

Milward's thought was a happy one; almost an inspiration; and yet we cannot help regretting that he did not think it worth his while to take some note of the talk of Selden's guests, who must have made *some* good remarks in reply. Their very names would have been of much interest to us at the present day. Doubtless Milward thought their

talk less worthy of note than that of his master; and probably it was; but if he had only made some small note of it, however inferior it might have been, it would not only have served to render that of Selden a hundredfold more interesting, by its connection with the persons mentioned, but have given it that dramatic interest which attaches to Johnson's talk, which is now almost entirely lacking in Selden's.

This is all the more to be regretted, as we are informed that "he kept a plentiful table, which was never without the society of learned guests;" and we are naturally curious to know who they were. Was Ben Jonson one of them? or Bacon? or Milton? or Butler? Was not Crashaw the poet there, he whom he had "converted from writing against plays?" We know that Milton, who must have known him, spoke of him as "the chief of the learned men in this land;" and we know that he had a personal acquaintance with Lord Bacon; for Selden and Bacon arranged the costumes for one of the masques —written by Ben Jonson and illustrated by Inigo Jones,—performed before the court of Charles the First. We know also that when Ben Jonson was released from prison a banquet was given him by his

friends, at which both Selden and Camden were present. We know, too, that Butler, whom he had met in the library of the Duchess of Kent, and to whom he probably gave points for his great satiric poem, *Hudibras,* was among his friends. It is, therefore, not improbable that some of these, together with "honest Ben," whom Selden speaks of as his "beloved friend," were often present at the table of the distinguished scholar and statesman. "If it were so, it was a grievous fault" that Milward did not mention them; but it were also a grievous fault to make Milward answer too strictly for the omission. We must remember that he did not live in the nineteenth century, and had not the example of Boswell and others before his eyes.

Selden probably never knew that at his hospitable table there was "a chiel amang them takin' notes;" and it is probable that, had he suspected such a thing, it would not have been good for the "chiel," nor for us. He would doubtless have regarded such a thing as an uncanny thing to do, especially at a time when free and unguarded expressions might be twisted into treason, and have caused him another enforced residence in the Tower. If he thought "wise men"

should "say nothing in dangerous times," he certainly would not have approved of anyone writing down what he said in private conversation.

Yet, with all his wisdom and penetration, with all his knowledge of men and manners, Selden made a greater mistake than Milward; he failed to discover or to take any notice whatever of the greatest man of them all. Although he had probably known and conversed with Shakespeare; although he must have known something of the man and his works; although he had been a member of that famous club of wits and poets to which Shakespeare belonged, and was on familiar terms with his intimate friend Ben Jonson, he never once mentions or tells us a single thing of the immortal bard of Avon, nor of anyone or anything connected with him. Shakespeare was probably to him, as to others, nothing more than a "poor player," who whiled away the time of the idle and the fashionable by dramatic exhibitions. Being merely a poet, with "little Latin and less Greek," he was not to be reckoned among the men of solid learning and wide influence, who molded public opinion or shaped national policy. Ah Selden! Selden! what a grievous mistake thou didst

make there! how little didst thou dream that, among all the learned and able men whom thou knewest, this man, whom thou didst overlook and disregard, was by far the greatest of them all; that this man, who had "little Latin and less Greek," was destined, by his marvelous works, to have a greater influence on the life and thought of the whole English-speaking race, now the greatest race in the world, than the most learned man of them all, or than any other man that ever lived!

The omission, however, may have been Milward's, and not Selden's; for he seems to have allowed Selden to speak but rarely of persons. Indeed, we must not forget that his book is announced as giving "the sense of various matters of weight and of high consequence relating especially to religion and state;" and he probably thought it beneath him to note what his master said of particular persons. It was the thoughts, the principles, the exposition of events, and the characterization of men and things relating to Church policy, that Milward thought most important: and, being a clergyman, he had probably considered it not worth while to note what was said of a "poor player," who had written nothing but plays, had lived

and acted long before his time, and whose works had, as we know, fallen completely into neglect in his Puritan day.

Of Ben Jonson himself there is nothing recorded, although there is a reference to one of his plays (see article *Religion,* where he refers to Inigo Lanthorn in *Bartholomew Fair*), which shows he was not unfamiliar with them. In the Preface to his *Titles of Honor,* Selden speaks of Jonson as "that singular Poet, Mr. Ben Jonson, whose special worth in literature, accurate judgment and performance, known only to that few which are truly able to know him, hath had from me, ever since I began to learn, an increasing admiration." What! could he so admire Jonson's works, and neither know nor care for those of Shakespeare? It is possible, though not probable; for if he had had, ever since childhood, an increasing admiration for Jonson as a writer, and an intimate acquaintance with him as a man, is it likely that he knew nothing of Jonson's friend and colleague, who had been highly esteemed by Jonson, and who had far outshone him as a dramatic poet? Is it likely that Jonson had never spoken to Selden of the man whom he "loved this side of idolatry," nor mentioned to him any of his

works? No, it is not likely; for Shakespeare was one of "that few" who had appreciated Jonson's genius, and had helped him in the bringing out of his plays; and there is no question but the two, Selden and Jonson, must often have spoken of "Sweet Will" and his marvelous productions, which Jonson pronounces as "not for a day, but for all time."

Is it not strange that Shakespeare's contemporaries, who tell us so much about other men of less note, should be so silent concerning the greatest of them all? Surely their eyes were "holden," that they could perceive nothing worthy of note in so great a man. What a lesson to many of us who are blind to the merits of the great souls now around us!

"Through Greece, great Homer wand'ring begged his bread:
Three cities claimed him as their own when dead."

One bit of evidence, however, one small item of corroborative testimony, Selden does furnish, though unintentionally, touching the character and motives of one who had something to do with Shakespeare—a man whose character is interesting to us solely on account of his attempt, in the lifetime of the poet, to defame and depreciate

him as a man and poet. Thomas Nash, the envious little playwright and pamphleteer who affected to despise Shakespeare because he knew "little Latin and less Greek," is thus referred to by Selden (p. 136):

"We measure the excellency of other men by some excellency we conceive to be in ourselves. Nash, a poet, poor enough (as poets used to be), seeing an alderman, with his gold chain, upon his great horse, said by way of scorn to one of his companions, 'Do you see yon fellow, how goodly, how big he looks? Why, that fellow cannot make a blank verse!'"

Now Nash spoke pretty much in the same way about Shakespeare—it was his characteristic form of depreciation. Here is the passage in which he refers to the great poet, who had grown rich while the little poet remained poor:

"It is a common practice nowadays among a sort of shifting companions that run through every art and thrive by none, that leave the trade of Noverint [law clerk or notary], whereto they were born, and busy themselves with the endeavors of art, that *could scarcely Latinize their neck-verse* if they should have need; yet English Seneca, read by candlelight, yields many good sen-

tences, such as 'Blood is a beggar,' and so forth; and if you entreat him on a frosty morning, he will afford you whole *Hamlets,* I should say *handfuls,* of tragical speeches."*

Now the animus of this attack, as I have shown in "Shakespeare as Portrayed by Himself," was simply envy at the success of a non-university-bred man who had surpassed all others in the excellence of his work. Nash, who was a Cambridge-bred man, thought that none other than college-bred men should "busy themselves with the endeavors of art," and was piqued to see a man who had never trod university halls, never spent seven years in the study of Greek and Latin, succeed so well as a poet and dramatist. He was animated by that same deadly antipathy which causes the old-school doctors to denounce the new; for Shakespeare, being *irregularly* educated, belonged to the new school, and must therefore be a quack. How could he know, without a thorough knowledge of Greek and Latin, how anything artistic or poetic was to be done? In that age a knowledge of the "learned languages" was the *sine qua non* of education, and without it no author could possibly, in

* The passage occurs in an "Epistle to the Gentlemen Students of both Universities" prefixed to Greene's *Arcadia.*

the opinion of many, be a good one. Fortunately, the common people did not think so; they judge by results; and this judgment is the best, after all.

Now Selden's illustration of Nash's way of judging others confirms this view—the depreciation of the alderman tallies precisely with that of the poet. Shakespeare had not that "excellency" which the little poet had himself, and which he thought the first qualification of one who "busied himself with the endeavors of art;" and consequently he affected to despise the alderman as well as the poet for lack of this "excellency." It is pretty much as if Nash, looking at the successful poet as he did at the rich alderman, exclaimed: "Look at that fellow! though he has written a score of successful plays, and has grown rich by his pen, he cannot indite a dozen lines of Latin verse!"

Poor little Nash! it was not *thy* Latin verse, nor thy English prose, that has kept *thy* name in remembrance; but—little didst thou think it!—simply thy envious thrust at the fair name and successful career of thy immortal contemporary, whom thou couldst in no way resemble or imitate!

But the fact remains, and is worthy of notice, that Selden was acquainted with

Nash, and had observed his peculiar way of "putting things." He had, in all probability, heard Nash talk in this way of Shakespeare too. Nash, who was a "notable railer" against individuals as well as against the vices of the time, had written on various lines—plays, pamphlets, poems, pasquinades—and though he had mixed his ink with gall enough, he could not "distill it into gold." Though he could, like many other critics, rail finely at the productions of others, he could not produce anything worthy, or of lasting value, himself. When Marlowe died Nash completed one of his tragedies; but the completion is worthless; the only part of the tragedy worth reading is that written by Marlowe. He had probably heard of the munificent way in which the young Earl of Southampton had patronized Shakespeare; for in one of his pamphlets, *Pierce Pennilesse,* he declares that what he, a man of letters, wanted, was *a patron,* and humorously begs for a trial, undertaking to make it worth the patron's while. And he pronounces it a monstrous thing that "cautious, brainless drudges and knaves wax fat when the seven liberal sciences and a good leg will scarce get a scholar bread and cheese!"

Poor fellow! he had doubtless suffered, as

many other "demnition literary fellows" have suffered, for want of bread; and it is evident that neither Selden nor "the rest of mankind" had, notwithstanding his peculiar "excellency," a very high opinion of him or his writings. For, from the conclusion drawn by Selden, we see plainly that the great lawyer was not, in this matter, of the "poor poet's" mind. George Saintsbury, in his work on the Elizabethan poets, speaks of Nash as a "journalist born out of due time." Very likely; a *yellow* journalist!

Well, even for this little bit of testimony, this crumb of circumstantial or rhetorical evidence, touching the character of one of Shakespeare's assailants, we are grateful to Selden, and to Milward for recording it. How much less significant the passage would have been if Milward had merely said "a certain poet," or "a poor but learned poet?" Ah, yes; the personality of the speaker in such cases counts for much. But we shall let that pass. I shall only add that this bit of evidence, small as it is, is another nail in the coffin of that absurd, that preposterous, that idiotic theory that would make the busy lawyer, statesman, and utilitarian philosopher, Lord Bacon, the author of the most passionately poetic and highly imagi-

native compositions ever conceived by the brain or penned by the hand of man.

Selden's latter years were passed in easy circumstances and with peaceful and pleasant surroundings. Parliament had made him a grant of five thousand pounds (equal to ten times as much in our day) in consideration of his public services and unmerited sufferings; and this sum, together with what he had saved from his earnings as a lawyer, enabled him to live in independent and comfortable circumstances. He may be said to have won what poor Macbeth lamented as lost:

> "That which should accompany old age,
> As honor, love, obedience, troops of friends;"

for he had many friends; and he became noted for the kindly and generous manner in which he entertained them, and for the liberal patronage which he showed toward men of learning and studious pursuits. In Parr's *Life of Archbishop Usher* there is a letter from Casaubon in which that distinguished antiquary says that Selden, "after some intimation of his present condition and necessities," not only furnished him with "a considerable sum of money," but "was so free and forward in his expressions," as to

offer him more aid than his conscience would allow him to accept.

To the last Selden loved good company and good cheer; he would "keep himself warm and moist as long as he lived;" and although there is no doubt that his viands and his wines were excellent, and his guests all of a superior character, we may be sure that, on all such occasions, the talk of the host himself, with his rich and varied learning and his wide experience of men and affairs, afforded by far the best part of the entertainment.

It is pleasant to observe that Selden kept his old friends to the last. Among these was the learned and excellent prelate, Archbishop Usher, whom he had befriended in the evil days, and who now attended him in sickness as well as in health. For Selden had preserved the library of the archbishop from confiscation, and saved him from the humiliation of appearing before the Puritan Board of Examiners at Westminster to take the negative oath imposed upon all those who had been adherents of the king. These two were, apparently, close friends, and no doubt they had much in common in their views and pursuits. Another of these friends was the amiable and admirable Sir Matthew Hale,

whom Selden had befriended from his youth up, and whom he had appointed one of the executors of his will. As Sir Matthew was a Puritan, and Usher an Episcopalian, it may be inferred how broad and tolerant Selden was in his views and friendships. Both were men of great learning and noble character, and that was the chief thing with Selden. It will be remembered that Sir Matthew Hale, who had not been made chief justice until long after Selden's death, was one of those to whom Milward dedicated the Table-Talk.

Broad as were Selden's views, and wide as was his learning, it will readily be inferred, from the character of his intimate friends, that he did not lose his faith in the Gospel, or his trust in the saving power of Christ. Richard Baxter, the famous Nonconformist preacher, who was the personal friend of Sir Matthew Hale, makes this statement: "The Hobbians and other infidels would have persuaded the world that Selden was of their mind; but Sir Matthew Hale, his intimate friend and executor, assured me that Selden was an earnest professor of the Christian faith, and so angry an adversary to Hobbes that he hath rated him out of the room."

Archbishop Usher, too, who attended Sel-

den in his last illness and preached his funeral sermon, declared that he made to him a statement which, from a man of such vast learning, is not only significant and interesting, but strongly fortifying to the faith of every earnest Christian: "That he had surveyed most parts of the learning that was among the sons of men; that he had his study full of books and papers on most subjects in the world; yet at that time he could not recollect any passage out of those infinite books and manuscripts he was master of whereon he could rest his soul, save out of the holy Scriptures; wherein the most remarkable passage that lay upon his spirit was that contained in St. Paul's Epistle to Titus: 'For the grace of God, that bringeth salvation, hath appeared unto all men; teaching us, that, denying ungodliness and worldly lusts, we should live soberly, righteously, and godly, in this present world; looking for that blessed hope, and the glorious appearing of the great God and our Saviour Jesus Christ; who gave himself for us, that he might redeem us from all iniquity, and purify unto himself a peculiar people, zealous of good works.' "

Who will say that John Selden was not a Christian? And such a Christian—perhaps

the most liberal of his day; "for the grace of God, that bringeth salvation, hath appeared *unto all men,*" such was his broad view of Christ's mission in the world.

Probably few men in the profession come nearer to the picture of the "good lawyer," so admirably drawn by Attorney-General Griggs in his recent discourse before the law students of Bowdoin College:

"I commend to you the cultivation of a spirit that will enable you to take a healthy, sound, and cheerful view of the struggles and movements of society, of law, and of government, believing that their tendency is toward improvement, not deterioration. The best function of the lawyer is that of legal guidance: to show how pitfalls may be shunned and collisions avoided, and to point out the pathway that may be followed in peace. In law, as in medicine, an ounce of prevention is worth a pound of cure. Litigation among clients, like war among nations, should be the last resort. The lawyer should be a peacemaker.

"For your exemplar let me commend the ideal of the good lawyer. I do not say the great, but the good lawyer. A man of kindly and benignant disposition, friendly alike with his well-to-do and his poorer fellow-townsmen, acquainted with their habits and individual history, and with a pretty accurate notion of their opinions and prejudices, as well as of their ways and means; genial and sociable,

yet dignified and self-contained, and of staid and comfortable appearance; in manner alert, in conversation always moderate and respectful; shrewd in his observations, wise, but with perennial humor and love of pleasantry; as a citizen always concerned and active in the interests of his town, his State, and his country; not an agitator nor a perpetual fault-finder, nor giving out the intimation that he is better or wiser than others, but ready to confer, to adjust, to agree, to get the best possible if not the utmost that is desirable. To him the people turn in local emergencies for guidance and counsel on their public affairs, even partisanship fearing not to trust to his honor and wisdom; so free from all cause of offense that there is no tongue to say a word against his pure integrity; too dignified and respectable to tempt familiarity; too genial and generous to provoke envy or jealousy; revered by his brethren of the bar; helpful and kindly to the young; in manner suave and polite, with a fine courtliness of the old flavor which Clarendon described in John Hampden [would not the less famous name of John Selden be equally appropriate?] as a flowing courtesy toward all men; successful, of course, in his practice, but caring less for its profits than for the forensic and intellectual delight which the study and practice of the law bring to him. . . . His mind is grounded upon the broad and deep principles of jurisprudence rather than upon 'wise saws and modern instances,' but over all is reflected the illumination of a strong common sense and a refined tactfulness.

"In the judgment and feelings of the community there is something of the venerable and illustrious attached to his name, not for his learning in the law, not for his success as an advocate, not for his mere usefulness to his fellow-citizens as a counselor and guide, but for the benignant influence of his whole life and character; and when he dies, to every mind there comes a suggestion of the epitaph that shall most fittingly preserve the estimate which the people have formed of him: 'The Just Man—the Counselor.'"

Although Selden passed his seventy years in single blessedness; although he would not, like the foolish frogs, "jump into the well," he passed many years in close intimacy with the Dowager Countess of Kent—a lady eminent for piety and virtue, and noted as the friend of art and literature—who must have thought a great deal of him, for at her death she left him property valued at £40,000. Aubrey indeed declares that he was privately married to this lady; but there is no documentary proof of this assertion. As the lady had a great deal of business on her hands, she doubtless found the counsel of such a law-learned man as Selden valuable to her; and as he was an excellent talker, and, according to Clarendon, possessed of "an affability and courtesy that would have

graced the best courts," his company was doubtless very agreeable to the countess.

Mr. Singer gives us this interesting bit of information concerning her: "Lady Kent, who was one of the three daughters and coheiresses of Gilbert Talbot, Earl of Shrewsbury, seems to have been an especial favorer of learning and literature; for we are told that Butler, the author of *Hudibras,* was among those to whom, while living, she extended her favors; and at her house, his biographer tells us, 'he had not only the opportunity to consult all manner of books, but to converse also with that great living library of learning, the great Mr. Selden.' May we not conjecture that Butler owed this favor to Selden himself?"

Probably he did; and it is pleasant to think that Butler was among his friends, and that the two often conversed together. Here, for instance, Milward might have told us much worth knowing; for there is very little known of Butler's life. Mr. Saintsbury says it was while residing with Lady Kent that Butler "met and worked for Selden."

One thing is evident, which is that Selden, toward the close of his life, seems to have felt the force of the Scriptural injunction, "It is not good for man to be alone;" and en-

deavored, by his close intimacy and sincere regard for the estimable countess, to repair, in some measure, the one mistake of his life.

Selden left his whole fortune—except some small sums to his nephews and nieces—to four of his friends, whom he also made his executors. Certainly no man could say he was not good to his friends; for he was not only generous to them while living, but left them all he had at his death. Why he did not leave more to his kinsfolk, who were still, it seems, of low estate, is somewhat of a mystery; but it may be explained by the remark he made to Sir Bennett Hawkins, that he "had nobody to make his heir, except it were a milkmaid, and that such people did not know what to do with a great estate." That might have been so in his day; but it is different in ours; "such people" can generally "get away" with two or three "great estates" nowadays. I need not mention instances; but is it not a question whether those who have been kind and serviceable to us in life be not more deserving of consideration at death than kinsfolk who have no other claim than their accidental relationship to us?—people who perhaps never think of us twice in our lives except for what they may get at our death?

Perhaps Selden followed the example of another dignitary of the day, Bishop Grostête of Lincoln, who said to his brother, in reply to a request that he would raise him up in the world: "Brother, if your plow is broken, I'll pay the mending of it; or if an ox is dead, I'll pay for another; but a plowman I found you, and a plowman I leave you." There is no denying the fact that it has often proved a dangerous and ruinous thing to leave a large fortune to young and inexperienced people, who have neither character nor wit enough to make good use of it. "Put a beggar on horseback——" Well, the proverb is somewhat musty. One of those who served Selden—his barber—is said to have declared he would fain know what kind of a will he made; "for," said he, "I never knew a wise man to make a wise will." Probably he too expected a share in it. There is some comfort in the thought that there were no lawyers at that day ready to prove the testator insane for making such a will. I do not think that any man ever made a will that satisfied everybody.

Certain it is that Selden was, while living, neither penurious nor illiberal; for he is known to have been a generous patron of various poor scholars and antiquarians; not

only aiding them in their need, but assisting them pecuniarily in the prosecution of their studies and researches. Moreover, his friends declare that he was hospitable and generous in his dealings with all men; and we see no reason for questioning the propriety of the way in which he finally disposed of his property.

His fine library, which consisted of eight thousand volumes, he intended leaving to the University of Oxford; but, taking umbrage at a demand for security for the safe return of a manuscript which he had desired from the Bodleian Library, he left his books also to his friends. The latter, considering that they were "the executors of his will, not of his anger"—which shows what judicious and right-thinking men they were—finally transferred the books to the university, where, in a room by themselves, called "Mr. Selden's Library," they may be seen to this day. Here the thoughtful student or visitor may sit and muse, and, conjuring up the shade of the shrewd yet kind and benevolent old lawyer, observe him poring over his books, inditing his learned treatises, or expounding to his friends the "true inwardness" of some important event of his day, clinching his argument with an apt though

homely simile, or winding it up with "This is the case!" or "Sir, I tell you, no!"

"Sit here, and muse! It is an antique room,
High-roofed, with casements through whose purple pane
Unwilling daylight steals amidst the gloom,
Shy as a fearful stranger. Here they reign
(In loftier pomp than waking life had known),
The kings of Thought! not crowned until the grave.
When Agamemnon sinks into the tomb
The beggar Homer mounts the monarch's throne!"

FINIS.

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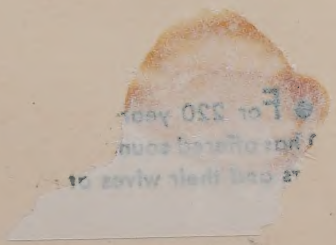

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